

1 BILL NO. G-89-09-24 (AS AMENDED)

2 GENERAL ORDINANCE NO. G-21-90

3 AN ORDINANCE of the Common
4 Council of the City of Fort
5 Wayne, Indiana, amending
6 Chapter 17, Article IX.,
7 Division 2 of the Municipal
Code of the City of Fort
Wayne, Indiana entitled
"Trucks."

8 WHEREAS, both the Corporation Counsel and the
9 Attorney for the Common Council have determined that the
10 current truck route ordinance in its present form is
11 unenforceable;

12 WHEREAS, the issue of urban goods movement has
13 been recently reviewed by an advisory committee of the
14 Northeastern Indiana Regional Coordinating Council;

15 WHEREAS, the Northeastern Indiana Regional
16 Coordinating Council Advisory Committee has completed its
17 study and made its report to the Common Council;

18 WHEREAS, said study supports a need for the
19 revision of the City of Fort Wayne Truck Route Ordinance.

20 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
21 COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

22 SECTION 1. That Divisions 2, 3, 4, and 5 of
23 Article IX. of Chapter 17 are hereby repealed and replaced
24 with new Divisions 2, 3, 4, and 5 Article IX. of Chapter 17
25 of the Municipal Code of the City of Fort Wayne, Indiana,
26 entitled "Trucks" which includes the following language:

27 DIVISION 2. TRUCKS

28 Sec. 17-82. Definitions.

29 For the purpose of this ordinance, the following terms,
30 phrases, words and their derivations shall have the meaning
31 given herein. When inconsistent with the context, words
32 used in the present tense include the future, words in the
plural number include the singular number, and words in the
singular number include the plural number. The word "shall"
is always mandatory and not merely directory.

(a) "City" is the City of Fort Wayne.

(b) "County" is Allen County, Indiana.

(c) "Local Truck Route" is a way over certain streets,
roads or other public ways designated to accommodate

trucks which do not exceed specified weight, length and height restrictions and which have an origin or destination, or both, within Allen County.

(d) "Point of Destination" includes a point of delivery, a fuel stop, a point of authorized rest, a terminal, a truck stop, and any authorized parking or garage facility.

(e) "Point of Origination" includes a starting point, a fuel stop, a point of authorized rest, a terminal, a truck stop, and any authorized parking or garage facility.

(f) "Through Truck Route" is a way over certain streets, roads or other public ways, which has been designated to accommodate trucks which have both origins and destinations outside of Allen County.

(g) "Truck" is a motor vehicle designed, used and maintained primarily for the transportation of property.

Sec. 17-83. Traffic on Certain Streets and Roads Restricted

(a) It shall be unlawful for the operator of any truck without a point of destination or a point of origination inside the County to drive said truck upon the streets, roads or other public ways of the City not designated as through truck routes.

(b) It shall be unlawful for the operator of any truck with a point of destination or point of origination, or both, within Allen County to drive said truck upon the streets, roads, or other public ways of the City not designated as local truck routes, except for such travel as is necessary and unavoidable in the transfer of property to and from such places or premises abutting on or having access only from such non-designated street; however, that in any case such truck shall travel over the shortest possible route from the point of entry to the City (if from outside of the City) or the point of origination (if from inside the City) to the point of destination and, following delivery, over the shortest possible route to the next delivery (if inside the City), to the point of final destination (if within the City), or to the nearest available point of exit from the City.

Sec. 17-84. Exceptions from Regulations.

The following are exempted from the prohibitions contained in Section 17-83:

(a) The operation of trucks licensed to carry a combined body and weight load not exceeding 20,000 pounds.

(b) The operation of emergency vehicles.

(c) The operation of trucks owned or operated by the City, public utilities, or any contractor or materials supplier, while engaged in the repair, maintenance or construction of streets, street improvements, or public utilities within the City.

(d) The operation of trucks upon any officially established detour.

(e) Special temporary emergency use permits issued by the Controller's Office.

Sec. 17-85. Local Truck Route Permit Required.

(a) The owner of any truck licensed to carry a combined body and load weight of at least 20,000 pounds that is used principally for the transportation and delivery of property between two or more points situated in Allen County and is not involved in the interstate shipment of goods, shall file with the City Controller an application, on a form prescribed by the City Controller, for an annual permit to allow the truck to use and be driven upon the City's local truck routes, upon the condition that the maximum gross weight of such vehicle not exceed the following weight limit:

(1) The total gross weight, with load, in pounds of any vehicle or combination of vehicles shall not exceed an overall gross weight on a group of two (2) or more consecutive axles produced by application of the following formula:

$$W = 500 \left(\frac{LN}{N - 1} + 12N + 36 \right)$$

where W equals overall gross weight on any group of two (2) or more consecutive axles to the nearest five hundred (500) pounds, L equals distance in feet between the extreme of any group of two (2) or more consecutive axles, and N equals number of axles in the group under consideration, except that two (2) consecutive sets of tandem axles may carry a gross load of thirty-four thousand (34,000) pounds each, providing the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six (36) feet or more. The overall gross weight limit, calculated under this subdivision, may not exceed eighty thousand (80,000) pounds.

(2) The total weight concentrated on the roadway surface from any tandem axle group shall not exceed seventeen thousand (17,000) pounds for each axle of the assembly.

(3) No vehicle shall have a maximum wheel weight, unladen or with load, in excess of eight hundred (800) pounds per inch per width of tire, measured between flanges of rim nor an axle weight in excess of twenty thousand (20,000) pounds.

(b) Upon the proper execution and filing of an application and the payment of a fee of Two Dollars (\$2.00) to the City Controller, to be credited to the City General Fund, the City Controller shall issue an annual permit for each truck appropriately describing it by motor number

or body number, and by license number. Such permit shall not be transferrable from one vehicle to another vehicle, and shall be attached to the vehicle so as to be readily visible by any police officer or other person charged with the duty of enforcing this Article.

Sec. 17-86. Truck Routes Established.

(a) Through Truck Routes.

(1) There are hereby established within the City the following Through Truck Routes:

I-69 from west City limits to north City limits

U.S. 27 - Southbound

Lima Road from I-69 to Coliseum Boulevard
Northrop Street from Coliseum Boulevard to Clinton Street
Clinton Street from Northrop Street to Lafayette Street
Lafayette Street from Clinton Street to south City limits

U.S. 27 - Northbound

Lafayette Street from south City limits to Spy Run Avenue
Spy Run Avenue from Lafayette Street to Clinton Street
Clinton Street from Spy Run Avenue to Northrop Street
Northrop Street from Clinton Street to Coliseum Boulevard
Lima Road from Coliseum Boulevard to I-69

U.S. 33 - Southbound

Goshen Road from I-69 to Coliseum Boulevard
Coliseum Boulevard from Goshen Road to Northrop Street
Northrop Street from Coliseum Boulevard to Clinton Street
Clinton Street from Northrop Street to Lafayette Street
Lafayette Street from Clinton Street to south City limits

U.S. 33 - Northbound

Lafayette Street from south City limits to Spy Run Avenue
Spy Run Avenue from Lafayette Street to Clinton Avenue
Clinton Street from Spy Run Avenue to Northrop Street
Northrop Street from Clinton Street to Coliseum Boulevard
Coliseum Boulevard from Northrop Street to Goshen Road
Goshen Road from Coliseum Boulevard to I-69

U.S. 24 - U.S. 30 - S.R. 14 - Eastbound

Goshen Road from I-69 to Coliseum Boulevard
Coliseum Boulevard from Goshen Road to Washington Boulevard
Washington Boulevard from Coliseum Boulevard to east City limits

U.S. 24 - U.S. 30 - S.R. 14 - Westbound

Washington Boulevard from east City limits to Coliseum Boulevard
Coliseum Boulevard from Washington Boulevard to Goshen Road
Goshen Road from Coliseum Boulevard to I-69

S.R. 1 Southbound

I-69 from north City limits to Lima Road
Lima Road from I-69 to Coliseum Boulevard

Northrop Street from Coliseum Boulevard to Clinton Street
Clinton Street from Northrop Street to Lafayette Street
Lafayette Street from Clinton Street to Paulding Road
Paulding Road from Lafayette Street to Baer Field Thruway
Baer Field Thruway from Paulding Road to Bluffton Road
Bluffton Road from Baer Field Thruway to south City limits

S.R. 1 - Northbound

Bluffton Road from south City limits to Baer Field Thruway
Baer Field Thruway from Bluffton Road to Paulding Road
Paulding Road from Baer Field Thruway to Lafayette Street
Lafayette Street from Paulding to Spy Run Avenue
Spy Run Avenue from Lafayette Street to Clinton Street
Clinton Street from Spy Run Avenue to Northrop Street
Northrop Street from Clinton Street to Coliseum Boulevard
Lima Road from Coliseum Boulevard to I-69
I-69 from Lima Road to north City limits

S.R. 3 - Southbound

Lima Road from north City limits to I-69

S.R. 3 - Northbound

I-69 from Lima Road to north City limits

S.R. 37 - Northbound

Crescent Avenue from Coliseum Boulevard to Stellhorn Road
Stellhorn Road from Crescent Avenue to east City limits

S.R. 37 - Southbound

Stellhorn road from east City limits to Crescent Avenue
Crescent Avenue from Stellhorn Road to Coliseum Boulevard

17-86-(b) Criteria for Local Truck Routes:

No local street, road, or other public way should be designated a local truck route unless it meets the following criteria:

1. Minimum travel lane width of (22) feet of pavement for two (2) lanes, and forty (40) feet of pavement for four (4) lanes;
2. Pavement thickness on arterials of nine (9) inches of concrete or twelve (12) inches of asphalt;
3. Pavement thickness on collectors of seven (7) inches of concrete or nine (9) inches of asphalt;
4. Maximum grade of seven (7) percent;
5. Minimum vertical clearance of fourteen (14) feet;
6. Minimum bridge weight load of twenty (20) tons per axle; and

All local streets, roads, or other public ways designated herein as local truck routes meet said criteria.

(c) Local Truck Routes.

There are hereby established within the City the

following local truck routes:

North - South Streets

South Anthony Boulevard from Washington Boulevard to Pontiac Street
South Anthony Boulevard from U.S. 27 to Tillman Road
Ardmore Avenue from Lower Huntington Road to Taylor Street
Bluffton Road from Baer Field Thruway to Broadway
Broadway from Bluffton Road to Washington Boulevard
Clinton Street from Northrop Street to Coldwater Road
Coldwater Road from Clinton Street to City Limits
Coliseum Boulevard from Pontiac Street to Washington Boulevard
Edgewood Avenue from Clinton Street to Northrop Street
Ewing Street from Jefferson Boulevard to Superior Street
Fairfield Avenue from Jefferson Boulevard to Superior Street
Goshen Road from Sherman Street to Coliseum Boulevard
Leesburg Road from Main Street to Spring Street
Leesburg Road from Spring Street to Hillegas Road
Sherman Street from Superior Street to Goshen Road
Wayne Trace from S. Anthony Boulevard to Oxford Street

East - West Streets

Baer Field Thruway from Bluffton Road to Baer Road
Dalman road from Baer Road to west City limits
Coliseum Boulevard from Goshen Road to Hillegas Road
Engle Road from Bluffton Road to west City limits
Illinois Road from I-69 to Jefferson Boulevard
Jefferson Boulevard from west City limits to Maumee Avenue
Lower Huntington Road from Fairfield to west City limits
Main Street from Jefferson Boulevard to Leesburg Road
Maumee Avenue from Jefferson Boulevard to Washington Boulevard
Pontiac Street from Clinton Street to Coliseum Boulevard
Spring Street from west City limits to Wells Street
East State Boulevard from Maplecrest to Clinton Street
West State Boulevard from west City limits to Sherman Boulevard
Superior Street from Sherman Street to Lafayette Street
Taylor Street from Jefferson Boulevard to Broadway
Tillman Road from Fairfield to east City limits
Washington Boulevard from Coliseum Boulevard to Jefferson Boulevard

Sec. 17-87. Truck Loads Causing Litter.

It shall be unlawful for any person to drive or move any truck within the City unless said truck is so constructed and loaded as to prevent any of its load or contents from being blown or deposited upon any street, roadway, sidewalk, alley or other public place.

Sec. 17-88. Truck Parking Restrictions.

Other than in an emergency, it shall be unlawful for the registered owner or for anyone having the care and custody of any truck with an overall length of more than 20 feet, or with an overall width of more than 7 feet, 6 inches, to park such vehicle on or in any street or alley or driveway in any residential district in the City, except temporarily while actually engaged in the loading or unloading of property on or from such vehicle. Other than in an emergency, it shall also be unlawful for the registered owner or for anyone having the care and custody of any vehicle without motive power, commonly called a "trailer" to park, suffer, permit or allow such trailer to

stand or be parked on any public street, place or thoroughfare of any kind in the City unless it is attached to another vehicle having motive power, unless a special permit for such parking has been obtained from the City Controller.

DIVISION 3. BRIDGES

Sec. 17-89. Load limits on bridges.

(a) The Board of Public Works is hereby authorized, by resolution regularly adopted, to reduce the gross weight allowed on any bridge, causeway or viaduct below that prescribed by state law, whenever such board may determine that the maximum load otherwise permitted is greater than such bridge, causeway or viaduct can sustain without serious damage or with safety to itself.

(b) When signs are erected pursuant to this section in a conspicuous place at the end of the structure, indicating the gross weight allowed on any such bridge, causeway, or viaduct, no vehicle shall be moved over such bridge, causeway, or viaduct when the gross weight of such vehicle is greater than that allowed on such bridge, causeway or viaduct.

DIVISION 4. ENFORCEMENT AND PENALTIES

Sec. 17-90. Enforcement.

(a) Traffic Engineer. The Traffic Engineer shall keep and maintain accurate maps setting out truck routes. The maps shall be kept on file in the office of the traffic engineer and shall be available to the public.

(b) Weigh-in. The Chief of Police shall have the authority to require any person driving or in control of any commercial vehicle, whether or not proceeding over a truck route to proceed to any public or private scale available for the purpose of weighing said vehicle and determining compliance with this Ordinance.

Sec. 17-91. Penalties.

(a) Every person convicted of a violation of this Article shall be punished by a fine of two hundred fifty dollars (\$250.00) plus court costs.

(b) For weight violations, a fine of \$.01/lb for each overweight pound may be imposed in lieu of the fine herein provided.

DIVISION 5. REVIEW AND SEVERABILITY

Section 17-92. Review of Article IX.

Article IX shall be completely reviewed by the proper City governmental authority upon completion of each leg of the new Fort Wayne Bypass.

Section 17-93. Severability.

If any provision or term of this chapter, or any application thereof, is held invalid, the invalidity shall not affect other applications of the provision or terms of this chapter which reasonably can be given effect without the invalid provision or term for the application thereof.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor, and the legal publication thereof.

Janet G. Bradbury
Councilmember

Read the first time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock 11 .M., E.S.T.

DATED: 9-12-89.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED ~~10~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>6</u>	<u>2</u>		<u>1</u>
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA				<u>✓</u>
HENRY	<u>✓</u>			
LONG		<u>✓</u>		
REDD	<u>✓</u>			
SCHMIDT		<u>✓</u>		
TALARICO	<u>✓</u>			

DATED: 8-28-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. D-21-90 on the 28th day of August, 1990,

Sandra E. Kennedy ATTEST
SANDRA E. KENNEDY, CITY CLERK

SEAL
Charles S. Reed
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1990, at the hour of 4:15 o'clock P. .M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 8th day of September, 1990, at the hour of 12:45 o'clock P. .M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

AN ORDINANCE of the Common Council of the City of Fort Wayne, Indiana, amending Chapter 17, Article IX., Division 2 of the Municipal Code of the City of Fort Wayne, Indiana entitled "Trucks."

WHEREAS, both the Corporation Counsel and the Attorney for the Common Council have determined that the current truck route ordinance in its present form is unenforceable;

WHEREAS, the issue of urban goods movement has been recently reviewed by an advisory committee of the Northeastern Indiana Regional Coordinating Council;

WHEREAS, the Northeastern Indiana Regional Coordinating Council Advisory Committee has completed its study and made its report to the Common Council;

WHEREAS, said study supports a need for the revision of the City of Fort Wayne Truck Route Ordinance;

WHEREAS, no local street, road, or other public way should be designated a local truck route unless it meets the following criteria:

1. Minimum travel lane width of (22) feet of pavement for two (2) lanes, and forty (40) feet of pavement for four (4) lanes;
2. Pavement thickness on arterials of nine (9) inches of concrete or twelve (12) inches of asphalt;
3. Pavement thickness on collectors of seven (7) inches of concrete or nine (9) inches of asphalt;
4. Maximum grade of seven (7) percent;
5. Minimum vertical clearance of fourteen (14) feet;

6. Minimum bridge weight load of twenty (20) tons per axle;

WHEREAS, all local streets, roads, or other public ways designated herein as local truck routes meet said criteria;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Divisions 2, 3, 4, and 5 of Article IX. of Chapter 17 are hereby repealed and replaced with new Divisions 2, 3, 4, and 5 Article IX. of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana, entitled "Trucks" which includes the following language:

DIVISION 2. TRUCKS

Sec. 17-82. Definitions.

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(a) "City" is the City of Fort Wayne.

(b) "County" is Allen County, Indiana.

(c) "Local Truck Route" is a way over certain streets, roads or other public ways designated to accommodate trucks which do not exceed specified weight, length and height restrictions and which have an origin or destination, or both, within Allen County.

(d) "Point of Destination" includes a point of delivery, a fuel stop, a point of authorized rest, a terminal, a truck stop, and any authorized parking or garage facility.

(e) "Point of Origination" includes a starting point, a fuel stop, a point of authorized rest, a terminal, a truck stop, and any authorized parking or garage facility.

(f) "Through Truck Route" is a way over certain streets, roads or other public ways, which has been designated to accommodate trucks which have both origins and destinations outside of Allen County.

(g) "Truck" is a motor vehicle designed, used and maintained primarily for the transportation of property.

Sec. 17-83. Traffic on Certain Streets and Roads Restricted

(a) It shall be unlawful for the operator of any truck without a point of destination or a point of origination inside the County to drive said truck upon the streets, roads or other public ways of the City not designated as through truck routes.

(b) It shall be unlawful for the operator of any truck with a point of destination or point of origination, or both, within Allen County to drive said truck upon the streets, roads, or other public ways of the City not designated as local truck routes, except for such travel as is necessary and unavoidable in the transfer of property to and from such places or premises abutting on or having access only from such non-designated street; however, that in any case such truck shall travel over the shortest possible route from the point of entry to the City (if from outside of the City) or the point of origination (if from inside the City) to the point of destination and, following delivery, over the shortest possible route to the next delivery (if inside the City), to the point of final destination (if within the City), or to the nearest available point of exit from the City.

Sec. 17-84. Exceptions from Regulations.

The following are exempted from the prohibitions contained in Section 17-83:

(a) The operation of trucks licensed to carry a combined body and weight load not exceeding 20,000 pounds.

(b) The operation of emergency vehicles.

(c) The operation of trucks owned or operated by the City, public utilities, or any contractor or materials supplier, while engaged in the repair, maintenance or construction of streets, street improvements, or public utilities within the City.

(d) The operation of trucks upon any officially established detour.

(e) Special temporary emergency use permits issued by the Controller's Office.

Sec. 17-85. Local Truck Route Permit Required.

(a) The owner of any truck licensed to carry a combined body and load weight of at least 20,000 pounds that is used principally for the transportation and delivery of property between two or more points situated in Allen County and is not involved in the interstate shipment of goods, shall file with the City Controller an application, on a form prescribed by the City Controller, for an annual permit to allow the truck to use and be driven upon the City's local truck routes, upon the condition that the maximum gross weight of such vehicle not exceed the following weight limit:

(1) The total gross weight, with load, in pounds of any vehicle or combination of vehicles shall not exceed an overall

gross weight on a group of two (2) or more consecutive axles produced by application of the following formula:

$$W = 500 \left(\frac{LN}{N - 1} + 12N + 36 \right)$$

where W equals overall gross weight on any group of two (2) or more consecutive axles to the nearest five hundred (500) pounds, L equals distance in feet between the extreme of any group of two (2) or more consecutive axles, and N equals number of axles in the group under consideration, except that two (2) consecutive sets of tandem axles may carry a gross load of thirty-four thousand (34,000) pounds each, providing the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six (36) feet or more. The overall gross weight limit, calculated under this subdivision, may not exceed eighty thousand (80,000) pounds.

(2) The total weight concentrated on the roadway surface from any tandem axle group shall not exceed seventeen thousand (17,000) pounds for each axle of the assembly.

(3) No vehicle shall have a maximum wheel weight, unladen or with load, in excess of eight hundred (800) pounds per inch per width of tire, measured between flanges of rim nor an axle weight in excess of twenty thousand (20,000) pounds.

(b) Upon the proper execution and filing of an application and the payment of a fee of Two Dollars (\$ 2.00) to the City Controller, to be credited to the City General Fund, the City Controller shall issue an annual permit for each truck appropriately describing it by motor number or body number, and by license number. Such permit shall not be transferrable from one vehicle to another vehicle, and shall be attached to the vehicle so as to be readily visible by any police officer or other person charged with the duty of enforcing this Article.

Sec. 17-86. Truck Routes Established.

(a) Through Truck Routes.

(1) There are hereby established within the City the following Through Truck Routes:

I-69 from west City limits to north City limits

U.S. 27 - Southbound

Lima Road from I-69 to Coliseum Boulevard
Northrop Street from Coliseum Boulevard to Clinton Street
Clinton Street from Northrop Street to Lafayette Street
Lafayette Street from Clinton Street to south City limits

U.S. 27 - Northbound

Lafayette Street from south City limits to Spy Run Avenue
Spy Run Avenue from Lafayette Street to Clinton Street
Clinton Street from Spy Run Avenue to Northrop Street
Northrop Street from Clinton Street to Coliseum Boulevard
Lima Road from Coliseum Boulevard to I-69

U.S. 33 - Southbound

Goshen Road from I-69 to Coliseum Boulevard
Coliseum Boulevard from Goshen Road to Northrop Street
Northrop Street from Coliseum Boulevard to Clinton Street
Clinton Street from Northrop Street to Lafayette Street
Lafayette Street from Clinton Street to south City limits

U.S. 33 - Northbound

Lafayette Street from south City limits to Spy Run Avenue
Spy Run Avenue from Lafayette Street to Clinton Avenue
Clinton Street from Spy Run Avenue to Northrop Street
Northrop Street from Clinton Street to Coliseum Boulevard
Coliseum Boulevard from Northrop Street to Goshen Road
Goshen Road from Coliseum Boulevard to I-69

U.S. 24 - U.S. 30 - S.R. 14 - Eastbound

Goshen Road from I-69 to Coliseum Boulevard
Coliseum Boulevard from Goshen Road to Washington Boulevard
Washington Boulevard from Coliseum Boulevard to east City limits

U.S. 24 - U.S. 30 - S.R. 14 - Westbound

Washington Boulevard from east City limits to Coliseum Boulevard
Coliseum Boulevard from Washington Boulevard to Goshen Road
Goshen Road from Coliseum Boulevard to I-69

S.R. 1 Southbound

I-69 from north City limits to Lima Road
Lima Road from I-69 to Coliseum Boulevard
Northrop Street from Coliseum Boulevard to Clinton Street
Clinton Street from Northrop Street to Lafayette Street
Lafayette Street from Clinton Street to Paulding Road
Paulding Road from Lafayette Street to Baer Field Thruway
Baer Field Thruway from Paulding Road to Bluffton Road
Bluffton Road from Baer Field Thruway to south City limits

S.R. 1 - Northbound

Bluffton Road from south City limits to Baer Field Thruway
Baer Field Thruway from Bluffton Road to Paulding Road
Paulding Road from Baer Field Thruway to Lafayette Street
Lafayette Street from Paulding to Spy Run Avenue
Spy Run Avenue from Lafayette Street to Clinton Street
Clinton Street from Spy Run Avenue to Northrop Street
Northrop Street from Clinton Street to Coliseum Boulevard
Lima Road from Coliseum Boulevard to I-69
I-69 from Lima Road to north City limits

S.R. 3 - Southbound

Lima Road from north City limits to I-69

S.R. 3 - Northbound

I-69 from Lima Road to north City limits

S.R. 37 - Northbound

Crescent Avenue from Coliseum Boulevard to Stellhorn Road
Stellhorn Road from Crescent Avenue to east City limits

S.R. 37 - Southbound

Stellhorn road from east City limits to Crescent Avenue
Crescent Avenue from Stellhorn Road to Coliseum Boulevard

(b) Local Truck Routes.

There are hereby established within the City the following local truck routes:

North - South Streets

South Anthony Boulevard from Washington Boulevard to Pontiac Street
South Anthony Boulevard from U.S. 27 to Paulding Road
Ardmore Avenue from Lower Huntington Road to Taylor Street
Bluffton Road from Baer Field Thruway to Broadway
Broadway from Bluffton Road to Washington Boulevard
Clinton Street from Northrop Street to Coldwater Road
Coldwater Road from Clinton Street to City Limits
Coliseum Boulevard from Pontiac Street to Washington Boulevard
Edgewood Avenue from Clinton Street to Northrop Street
Ewing Street from Jefferson Boulevard to Superior Street
Fairfield Avenue from Jefferson Boulevard to Superior Street
Goshen Road from Sherman Street to Coliseum Boulevard
Leesburg Road from Main Street to Spring Street
Leesburg Road from Spring Street to Hillegas Road
Sherman Street from Superior Street to Goshen Road
Wayne Trace from S. Anthony Boulevard to Oxford Street

East - West Streets

Baer Field Thruway from Bluffton Road to Baer Road
Dalman road from Baer Road to west City limits
Coliseum Boulevard from Goshen Road to Hillegas Road
Engle Road from Bluffton Road to west City limits
Illinois Road from I-69 to Jefferson Boulevard
Jefferson Boulevard from west City limits to Maumee Avenue
Lower Huntington Road from Fairfield to west City limits
Main Street from Jefferson Boulevard to Leesburg Road
Maumee Avenue from Jefferson Boulevard to Washington Boulevard
Paulding Road from Lafayette Street to east City limits
Pontiac Street from Clinton Street to Coliseum Boulevard
Spring Street from west City limits to Wells Street
East State Boulevard from Maplecreek to Clinton Street
West State Boulevard from west City limits to Sherman Boulevard
Superior Street from Sherman Street to Lafayette Street
Taylor Street from Jefferson Boulevard to Broadway
Tillman Road from Fairfield to east City limits
Washington Boulevard from Coliseum Boulevard to Jefferson Boulevard

Sec. 17-87. Truck Loads Causing Litter.

It shall be unlawful for any person to drive or move any truck within the City unless said truck is so constructed and loaded as to prevent any of its load or contents from being blown or deposited upon any street, roadway, sidewalk, alley or other public place.

Sec. 17-88. Truck Parking Restrictions.

Other than in an emergency, it shall be unlawful for the registered owner or for anyone having the care and custody of any truck with an overall length of more than 20 feet, or with an overall width of more than 7 feet, 6 inches, to park such vehicle on or in any street or alley or driveway in any residential district in the City, except temporarily while actually engaged in the loading or unloading of property on or from such vehicle. Other than in an emergency, it shall also be unlawful for the registered owner or for anyone having the care and custody of any vehicle without motive power, commonly called a "trailer" to park, suffer, permit or allow such trailer to stand or be parked on any public street, place or thoroughfare of any kind in the City unless it is attached to another vehicle having motive power, unless a special permit for such parking has been obtained from the City Controller.

DIVISION 3. BRIDGES

Sec. 17-89. Load limits on bridges.

(a) The Board of Public Works is hereby authorized, by resolution regularly adopted, to reduce the gross weight allowed on any bridge, causeway or viaduct below that prescribed by state law, whenever such board may determine that the maximum load otherwise permitted is greater than such bridge, causeway or viaduct can sustain without serious damage or with safety to itself.

(b) When signs are erected pursuant to this section in a conspicuous place at the end of the structure, indicating the gross weight allowed on any such bridge, causeway, or viaduct, no vehicle shall be moved over such bridge, causeway, or viaduct when the gross weight of such vehicle is greater than that allowed on such bridge, causeway or viaduct.

DIVISION 4. ENFORCEMENT AND PENALTIES

Sec. 17-90. Enforcement.

(a) Traffic Engineer. The Traffic Engineer shall keep and maintain accurate maps setting out truck routes. The maps shall be kept on file in the office of the traffic engineer and shall be available to the public.

(b) Weigh-in. The Chief of Police shall have the authority to require any person driving or in control of any commercial vehicle, whether or not proceeding over a truck route to proceed to any public or private scale available for the purpose of weighing said vehicle and determining compliance with this Ordinance.

Sec. 17-91. Penalties.

(a) Every person convicted of a violation of this Article shall be punished by a fine of two hundred fifty dollars (\$250.00) plus court costs.

(b) For weight violations, a fine of \$.01/lb for each overweight pound may be imposed in lieu of the fine herein provided.

DIVISION 5. REVIEW AND SEVERABILITY

Section 17-92. Review of Article IX.

Article IX shall be completely reviewed by the proper City governmental authority upon completion of each leg of the new Fort Wayne Bypass.

Section 17-93. Severability.

If any provision or term of this chapter, or any application thereof, is held invalid, the invalidity shall not affect other applications of the provision or terms of this chapter which reasonably can be given effect without the invalid provision or term for the application thereof.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor, and the legal publication thereof.

Councilmember

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay
J. Timothy McCaulay, City Attorney

Stanley A. Levine, Attorney
for the Common Council

1 BILL NO. G-89-09-24 (AS AMENDED)

2 GENERAL ORDINANCE NO. _____

3 AN ORDINANCE of the Common
4 Council of the City of Fort
5 Wayne, Indiana, amending
6 Chapter 17, Article IX.,
7 Division 2 of the Municipal
8 Code of the City of Fort
9 Wayne, Indiana entitled
10 "Trucks."

11 WHEREAS, both the Corporation Counsel and the
12 Attorney for the Common Council have determined that the
13 current truck route ordinance in its present form is
14 unenforceable;

15 WHEREAS, the issue of urban goods movement has
16 been recently reviewed by an advisory committee of the
17 Northeastern Indiana Regional Coordinating Council;

18 WHEREAS, the Northeastern Indiana Regional
19 Coordinating Council Advisory Committee has completed its
20 study and made its report to the Common Council;

21 WHEREAS, said study supports a need for the
22 revision of the City of Fort Wayne Truck Route Ordinance;

23 WHEREAS, no local street, road, or other public
24 way should be designated a local truck route unless it meets
25 the following criteria:

- 26 1. Travel lane width of eleven (11) feet;
- 27 2. Pavement thickness on arterials of nine (9)
28 inches of concrete or twelve (12) inches of
29 asphalt;
- 30 3. Pavement thickness on collectors of seven (7)
31 inches of concrete or nine (9) inches of
32 asphalt;
4. Maximum grade of seven (7) percent;
5. Minimum vertical clearance of fourteen (14)
feet;
6. Minimum bridge weight load of twenty (20)
tons per axle;

WHEREAS, all local streets, roads, or other public ways designated herein as local truck routes meet said criteria;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Divisions 2, 3, 4, and 5 of Article IX. of Chapter 17 are hereby repealed and replaced with new Divisions 2, 3, 4, and 5 Article IX. of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana, entitled "Trucks" which includes the following language:

DIVISION 2. TRUCKS

Sec. 17-82. Definitions.

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(a) "City" is the City of Fort Wayne.

(b) "County" is Allen County, Indiana.

(c) "Local Truck Route" is a way over certain streets, roads or other public ways designated to accommodate trucks which do not exceed specified weight, length and height restrictions and which have an origin or destination, or both, within Allen County.

(d) "Point of Destination" includes a point of delivery, a fuel stop, a point of authorized rest, a terminal, a truck stop, and any authorized parking or garage facility.

(e) "Point of Origination" includes a starting point, a fuel stop, a point of authorized rest, a terminal, a truck stop, and any authorized parking or garage facility.

(f) "Through Truck Route" is a way over certain streets, roads or other public ways, which has been designated to accommodate trucks which have both origins and destinations outside of Allen County.

(g) "Truck" is a motor vehicle designed, used and maintained primarily for the transportation of property.

Sec. 17-83. Traffic on Certain Streets and Roads Restricted

(a) It shall be unlawful for the operator of any truck without a point of destination or a point of origination inside the County to drive said truck upon the streets, roads or other public ways of the City not designated as through truck routes.

1
2 (b) It shall be unlawful for the operator of any truck
3 with a point of destination or point of origination, or
4 both, within Allen County to drive said truck upon the
5 streets, roads, or other public ways of the City not
6 designated as local truck routes, except for such
7 travel as is necessary and unavoidable in the transfer
8 of property to and from such places or premises
9 abutting on or having access only from such non-
10 designated street; however, that in any case such
11 truck shall travel over the shortest possible route
12 from the point of entry to the City (if from outside of
13 the City) or the point of origination (if from inside
14 the City) to the point of destination and, following
15 delivery, over the shortest possible route to the next
16 delivery (if inside the City), to the point of final
17 destination (if within the City), or to the nearest
18 available point of exit from the City, ~~using local~~
19 ~~truck routes.~~

20 Sec. 17-84. Exceptions from Regulations.

21 The following are exempted from the prohibitions
22 contained in Section 17-83:

23 (a) The operation of trucks licensed to carry a
24 combined body and weight load not exceeding 20,000
25 pounds.

26 (b) The operation of emergency vehicles.

27 (c) The operation of trucks owned or operated by the
28 City, public utilities, or any contractor or materials
29 supplier, while engaged in the repair, maintenance or
30 construction of streets, street improvements, or public
31 utilities within the City.

32 (d) The operation of trucks upon any officially
established detour.

(e) Special temporary emergency use permits issued by
the Controller's Office.

Sec. 17-85. Local Truck Route Permit Required.

(a) The owner of any truck licensed to carry a
combined body and load weight of at least 20,000 pounds
that is used principally for the transportation and
delivery of property between two or more points
situated in Allen County and is not involved in the
interstate shipment of goods, shall file with the City
Controller an application, on a form prescribed by the
City Controller, for an annual permit to allow the
truck to use and be driven upon the City's local truck
routes, upon the condition that the maximum gross
weight of such vehicle not exceed the following weight
limit:

(1) The total gross weight, with load,
in pounds of any vehicle or combination
of vehicles shall not exceed an overall
gross weight on a group of two (2) or
more consecutive axles produced by
application of the following formula:

$$W = 500 \left(\frac{LN}{N - 1} + 12N + 36 \right)$$

where W equals overall gross weight on any group of two (2) or more consecutive axles to the nearest five hundred (500) pounds, L equals distance in feet between the extreme of any group of two (2) or more consecutive axles, and N equals number of axles in the group under consideration, except that two (2) consecutive sets of tandem axles may carry a gross load of thirty-four thousand (34,000) pounds each, providing the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six (36) feet or more. The overall gross weight limit, calculated under this subdivision, may not exceed eighty thousand (80,000) pounds.

(2) The total weight concentrated on the roadway surface from any tandem axle group shall not exceed seventeen thousand (17,000) pounds for each axle of the assembly.

(3) No vehicle shall have a maximum wheel weight, unladen or with load, in excess of eight hundred (800) pounds per inch per width of tire, measured between flanges of rim nor an axle weight in excess of twenty thousand (20,000) pounds.

(b) Upon the proper execution and filing of an application and the payment of a fee of Ten Dollars (\$10.00) to the City Controller, to be credited to the City General Fund, the City Controller shall issue an annual permit for each truck appropriately describing it by motor number or body number, and by license number. Such permit shall not be transferrable from one vehicle to another vehicle, and shall be attached to the vehicle so as to be readily visible by any police officer or other person charged with the duty of enforcing this Article.

Sec. 17-86. Truck Routes Established.

(a) Through Truck Routes.

(1) There are hereby established within the City the following Through Truck Routes:

I-69 from west City limits to north City limits

U.S. 27 - Southbound

Lima Road from I-69 to Coliseum Boulevard
Northrop Street from Coliseum Boulevard to Clinton Street
Clinton Street from Northrop Street to Lafayette Street
Lafayette Street from Clinton Street to south City limits

U.S. 27 - Northbound

Lafayette Street from south City limits to Spy Run Avenue
Spy Run Avenue from Lafayette Street to Clinton Street
Clinton Street from Spy Run Avenue to Northrop Street

Northrop Street from Clinton Street to Coliseum Boulevard
Lima Road from Coliseum Boulevard to I-69

U.S. 33 - Southbound

Goshen Road from I-69 to Coliseum Boulevard
Coliseum Boulevard from Goshen Road to Northrop Street
Northrop Street from Coliseum Boulevard to Clinton Street
Clinton Street from Northrop Street to Lafayette Street
Lafayette Street from Clinton Street to south City limits

U.S. 33 - Northbound

Lafayette Street from south City limits to Spy Run Avenue
Spy Run Avenue from Lafayette Street to Clinton Avenue
Clinton Street from Spy Run Avenue to Northrop Street
Northrop Street from Clinton Street to Coliseum Boulevard
Coliseum Boulevard from Northrop Street to Goshen Road
Goshen Road from Coliseum Boulevard to I-69

U.S. 24 - U.S. 30 - S.R. 14 - Eastbound

Goshen Road from I-69 to Coliseum Boulevard
Coliseum Boulevard from Goshen Road to Washington Boulevard
Washington Boulevard from Coliseum Boulevard to east City limits

U.S. 24 - U.S. 30 - S.R. 14 - Westbound

Washington Boulevard from east City limits to Coliseum Boulevard
Coliseum Boulevard from Washington Boulevard to Goshen Road
Goshen Road from Coliseum Boulevard to I-69

S.R. 1 Southbound

I-69 from north City limits to Lima Road
Lima Road from I-69 to Coliseum Boulevard
Northrop Street from Coliseum Boulevard to Clinton Street
Clinton Street from Northrop Street to Lafayette Street
Lafayette Street from Clinton Street to Paulding Road
Paulding Road from Lafayette Street to Baer Field Thruway
Baer Field Thruway from Paulding Road to Bluffton Road
Bluffton Road from Baer Field Thruway to south City limits

S.R. 1 - Northbound

Bluffton Road from south City limits to Baer Field Thruway
Baer Field Thruway from Bluffton Road to Paulding Road
Paulding Road from Baer Field Thruway to Lafayette Street
Lafayette Street from Paulding to Spy Run Avenue
Spy Run Avenue from Lafayette Street to Clinton Street
Clinton Street from Spy Run Avenue to Northrop Street
Northrop Street from Clinton Street to Coliseum Boulevard
Lima Road from Coliseum Boulevard to I-69
I-69 from Lima Road to north City limits

S.R. 3 - Southbound

Lima Road from north City limits to I-69

S.R. 3 - Northbound

I-69 from Lima Road to north City limits

S.R. 37 - Northbound

Crescent Avenue from Coliseum Boulevard to Stellhorn Road
Stellhorn Road from Crescent Avenue to east City limits

S.R. 37 - Southbound

Stellhorn road from east City limits to Crescent Avenue
Crescent Avenue from Stellhorn Road to Coliseum Boulevard

(b) Local Truck Routes.

There are hereby established within the City the following local truck routes:

North - South Streets

South Anthony Boulevard from Washington Boulevard to Pontiac Street
South Anthony Boulevard from U.S. 27 to Paulding Road
Ardmore Avenue from Lower Huntington Road to Taylor Street
Bluffton Road from Baer Field Thruway to Broadway
Broadway from Bluffton Road to Washington Boulevard
Clinton Street from Northrop Street to Coldwater Road
Coldwater Road from Clinton Street to City Limits
Coliseum Boulevard from Pontiac Street to Washington Boulevard
Edgewood Avenue from Clinton Street to Northrop Street
Ewing Street from Jefferson Boulevard to Superior Street
Fairfield Avenue from Jefferson Boulevard to Superior Street
Goshen Road from Sherman Street to Coliseum Boulevard
Leesburg Road from Main Street to Spring Street
Leesburg Road from Spring Street to Hillegas Road
Sherman Street from Superior Street to Goshen Road
Wayne Trace from S. Anthony Boulevard to Oxford Street

East - West Streets

Baer Field Thruway from Bluffton Road to Baer Road
Dalman road from Baer Road to west City limits
Coliseum Boulevard from Goshen Road to Hillegas Road
Engle Road from Bluffton Road to west City limits
Illinois Road from I-69 to Jefferson Boulevard
Jefferson Boulevard from west City limits to Maumee Avenue
Lower Huntington Road from Fairfield to west City limits
Main Street from Jefferson Boulevard to Leesburg Road
Maumee Avenue from Jefferson Boulevard to Washington Boulevard
Paulding Road from Lafayette Street to east City limits
Pontiac Street from Clinton Street to Coliseum Boulevard
Spring Street from west City limits to Wells Street
East State Boulevard from Maplecrest to Clinton Street
West State Boulevard from west City limits to Sherman Boulevard
Superior Street from Sherman Street to Lafayette Street
Taylor Street from Jefferson Boulevard to Broadway
Tillman Road from Fairfield to east City limits
Washington Boulevard from Coliseum Boulevard to Jefferson Boulevard

Sec. 17-87. Truck Loads Causing Litter.

It shall be unlawful for any person to drive or move any truck within the City unless said truck is so constructed and loaded as to prevent any of its load or contents from being blown or deposited upon any street, roadway, sidewalk, alley or other public place.

Sec. 17-88. Truck Parking Restrictions.

Other than in an emergency, it shall be unlawful for the registered owner or for anyone having the care and custody of any truck with an overall length of more than 20 feet, or with an overall width of more than 7 feet, 6 inches, to park such vehicle on or in any street or alley or driveway in any residential district in the City, except temporarily while actually engaged in the loading or unloading of property on or from such vehicle. Other than in an emergency, it shall also be unlawful for the registered owner or for anyone having the care and custody of any vehicle without motive power, commonly called a "trailer" to park, suffer, permit or allow such trailer to stand or be parked on any public street, place or thoroughfare of any kind in the City unless it is attached to another vehicle having motive power, unless a special permit for such parking has been obtained from the City Controller.

DIVISION 3. BRIDGES

Sec. 17-89. Load limits on bridges.

(a) The Board of Public Works is hereby authorized, by resolution regularly adopted, to reduce the gross weight allowed on any bridge, causeway or viaduct below that prescribed by state law, whenever such board may determine that the maximum load otherwise permitted is greater than such bridge, causeway or viaduct can sustain without serious damage or with safety to itself.

(b) When signs are erected pursuant to this section in a conspicuous place at the end of the structure, indicating the gross weight allowed on any such bridge, causeway, or viaduct, no vehicle shall be moved over such bridge, causeway, or viaduct when the gross weight of such vehicle is greater than that allowed on such bridge, causeway or viaduct.

DIVISION 4. ENFORCEMENT AND PENALTIES

Sec. 17-90. Enforcement.

(a) Traffic Engineer. The Traffic Engineer shall keep and maintain accurate maps setting out truck routes. The maps shall be kept on file in the office of the traffic engineer and shall be available to the public.

(b) Weigh-in. The Chief of Police shall have the authority to require any person driving or in control of any commercial vehicle, whether or not proceeding over a truck route to proceed to any public or private scale available for the purpose of weighing said vehicle and determining compliance with this Ordinance.

Sec. 17-91. Penalties.

(a) Every person convicted of a violation of this Article shall be punished by a fine of two hundred fifty dollars (\$250.00) plus court costs.

(b) For weight violations, a fine of \$.01/lb for each overweight pound may be imposed in lieu of the fine herein provided.

DIVISION 5. REVIEW AND SEVERABILITY

Section 17-92. Review of Article IX.

Article IX shall be completely reviewed by the proper City governmental authority upon completion of each leg of the new Fort Wayne Bypass.

Section 17-93. Severability.

If any provision or term of this chapter, or any application thereof, is held invalid, the invalidity shall not affect other applications of the provision or terms of this chapter which reasonably can be given effect without the invalid provision or term for the application thereof.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor, and the legal publication thereof.

Councilmember

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay
J. Timothy McCaulay, City Attorney

Stanley A. Levine, Attorney
for the Common Council



NORTHEASTERN INDIANA REGIONAL COORDINATING COUNCIL

640 City-County Building, Fort Wayne, Indiana 46802

Elias G. Samaan, Executive Director

(219) 428 - 7309

M E M O R A N D U M

TO: CITY COUNCIL MEMBERS

FROM: ELIAS SAMAAAN

DATE: JANUARY 19, 1990

ENCLOSED PLEASE FIND A COPY OF THE GOODS MOVEMENT ADVISORY
COMMITTEE FINDINGS.

THIS TECHNICAL PAPER WAS APPROVED BY THE URBAN TRANSPORTATION
ADVISORY BOARD AND IS BEING SUBMITTED TO YOU FOR YOUR REVIEW.

DRAFT

URBAN GOODS MOVEMENT
GOODS MOVEMENT ADVISORY COMMITTEE
TECHNICAL FINDINGS

FY 90

WORK ELEMENT
325.05

NORTHEASTERN INDIANA REGIONAL COORDINATING COUNCIL

The movement of goods in urban areas represents a highly complex process and a critical component of the metropolitan economy. Urban goods movement can be defined as the transportation of, and terminal activities associated with, the movement of things as opposed to people in urban areas. It includes the movement of goods into and out of the area, through the area, as well as within the area by all modes. Activities involving urban streets, waterways, railroads, terminals, and loading docks, must all be considered in fostering greater efficiency in the movement of urban goods.

The movement of goods in the Fort Wayne/New Haven/Allen County Transportation Study Area involves railroads, air cargo services and trucking facilities. The predominant mode of urban goods distribution in this area is reliant upon the trucking industry and the majority of conflicts between urban goods movements and the general day-to-day living activities of area residents involve trucks. Therefore, this study focuses on the distribution of urban goods by the trucking industry and concentrates on providing a routing system on our highways and streets which satisfies the needs of urban goods movers and minimizes conflicts with the community at-large.

The mobility of goods within an urban area is essential to the economic viability and economic growth of the community. The local highway system serves as the primary conduit for goods

distribution within the urban community. Therefore, it is necessary for the highway system to accommodate a safe and efficient mechanism which provides an adequate level of mobility for goods distribution. The goods distribution system on our highways must balance the efficient distribution of goods against the negative impacts to residential areas and amount of interference to other modes of transportation. The development of a goods distribution system which provides access within and through a community yet strives to minimize the negative impacts to a community, can ensure the mobility of goods in harmony with the aesthetic quality of the area.

The Northeastern Indiana Regional Coordinating Council established as one of its tasks for Fiscal Year 1990 to conduct an urban goods movement study. This task was submitted to State and Federal Agencies as a component of the Overall Work Program as adopted by the Urban Transportation Advisory Board. As the Metropolitan Planning Organization for the Fort Wayne Urbanized Area with specific responsibilities in transportation planning, the Northeastern Indiana Regional Coordinating Council is the appropriate agency to study the goods movement issue on a community wide multi-jurisdictional basis.

The primary objective of the study is to provide an informational tool to local policy-makers which will help provide for the efficient mobility of urban goods while maintaining a functional, well-coordinated, and safe transportation system. The study will not develop specific ordinances for any particular entity, but is

- 2) Minimize truck route miles on substandard streets;
and
- 3) Minimize the number of truck route miles which
travel through residential areas.

The objectives were used by the Committee throughout the evaluation process and serious discussion over all three prevailed during the study procedure.

Once the goals and objectives were established, the Committee moved on to the task of developing minimum road standards for a truck route system. The roadway standards were adopted from prescribed AASHTO recommendations as specified in "A Policy On Geometric Design of Highway and Street" (AASHTO, 1984) and "Minimum Standards For Road and Street Construction" (City of Fort Wayne and Allen County, Indiana). The minimum standards call for the following requirements:

1. Travel lane width of eleven feet with twelve feet desirable
2. Pavement thickness on arterials of nine inches of concrete or twelve inches of asphalt
3. Pavement thickness on collectors of seven inches of concrete or nine inches of asphalt
4. Maximum grade of seven percent
5. Minimum vertical clearance of fourteen feet
6. Minimum bridge weight load of twenty tons per axle (HS-20)

*"Standards
from a long
time ago"*

The adopted roadway standards were determined by the Committee to serve as the minimum standards for street and highway construction of facilities which support a truck route.

The Committee began the evaluation process for a truck route system after specifying their goals and objectives and adopting the minimum roadway standards. The evaluation process centered around the land use patterns of the area. The NIRCC staff

Local Truck Route - A road which has been designated to accommodate trucks which do not exceed weight, length, and height restrictions as imposed by ordinance and have an origin, or destination or both within the community. The through truck route system duplicates as a major component of the local truck route system.

Local Service Route - A road which provides direct access to an origin or destination and comprises the shortest distance directly from an established local or through truck route consistent with the origin or destination.

RECOMMENDATIONS

- A) Develop land use planning and zoning policies that encourage developments which generate significant truck traffic to locate on established truck routes.
- B) Truck routes should be restricted to streets and roads meeting the minimum standards for road and street construction as adopted by the Committee and include the following:
 - 1. Travel lane width of eleven feet with twelve feet desirable
 - 2. Pavement thickness on arterials of nine inches of concrete or twelve inches of asphalt
 - 3. Pavement thickness on collectors of seven inches of concrete or nine inches of asphalt
 - 4. Maximum grade of seven percent
 - 5. Minimum vertical clearance of fourteen feet
 - 6. Minimum bridge weight load of twenty tons per axle (HS-20)
- C) Hazardous material haulers should be restricted to state and federal routes until they reach a local truck route or service route which provides the shortest alternative to their origin or destination.
- D) The transportation of hazardous material should be restricted to specific times of the day such as not to conflict with peak periods of highway travel. Hazardous material transporting

should be prohibited from 7:00am-9:00am and 3:30pm-5:30pm except Saturdays, Sundays and holidays.

- E) The Through Movement of hazardous materials should be transported around the most heavily populated areas of Allen County by using existing federal and state routes until Interstate I-469 is completed. Upon completion of Interstate I-469, the Through Movement of hazardous materials should be restricted to Interstate Routes I-69 and I-469, and other federal and state routes lying outside the perimeter formed by the two Interstate Highways.

- F) Future road improvements: .

1. Ardmore Road/Hillegas Road Corridor
2. Pontiac Street/Wayne Trace Underpass
3. Anthony Boulevard Underpass
4. Adams Center Road

1 BILL NO. G-89- 09-24 (AS AMENDED)

2 GENERAL ORDINANCE NO. _____

3 AN ORDINANCE of the Common
4 Council of the City of Fort
5 Wayne, Indiana, amending
6 Chapter 17, Article IX.,
7 Division 2 of the Municipal
Code of the City of Fort
Wayne, Indiana entitled
"Trucks."

8 WHEREAS, both the Corporation Counsel and the
9 Attorney for the Common Council have determined that the
10 current truck route ordinance in its present form is
11 unenforceable;

12 WHEREAS, the issue of urban goods movement has
13 been recently reviewed by an advisory committee of the
14 Northeastern Indiana Regional Coordinating Council;

15 WHEREAS, the Northeastern Indiana Regional
16 Coordinating Council Advisory Committee has completed its
17 study and made its report to the Common Council;

18 WHEREAS, said study supports a need for the
19 revision of the City of Fort Wayne Truck Route Ordinance.

20 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
21 COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

22 SECTION 1. That Division 2. of Article IX. of
23 Chapter 17 is hereby repealed and replaced with a new
24 Division 2., Article IX. of Chapter 17 of the Municipal Code
25 of the City of Fort Wayne, Indiana, entitled "Trucks" which
26 includes the following language:

27 Sec. 17-82. Definitions.

28 For the purpose of this ordinance, the following terms,
29 phrases, words and their derivations shall have the meaning
30 given herein. When inconsistent with the context, words
31 used in the present tense include the future, words in the
32 plural number include the singular number, and words in the
singular number include the plural number. The word "shall"
is always mandatory and not merely directory.

(a) "City" is the City of Fort Wayne.

(b) "County" is Allen County, Indiana.

(c) "Truck" is a motor vehicle designed, used and
maintained primarily for the transportation of
property.

(d) "Through Truck Route" is a way over certain streets, roads or other public ways, which has been designated to accommodate trucks which have both origins and destinations outside of Allen County.

(e) "Local Truck Route" is a way over certain streets, roads or other public ways designated to accommodate trucks which do not exceed specified weight, length and height restrictions and which have an origin or destination, or both, within Allen County and includes all ways designated as through truck routes.

Sec. 17-83. Traffic on Certain Streets and Roads Restricted

(a) It shall be unlawful for the operator of any truck without a point of destination or a point of origination inside the County to drive said truck upon the streets, roads or other public ways of the City not designated as through truck routes.

(b) It shall be unlawful for the operator of any truck with a point of destination or point of origination, or both, within Allen County to drive said truck upon the streets, roads, or other public ways of the City not designated as local truck routes, except for such travel as is necessary and unavoidable in the transfer of property to and from such places or premises abutting on or having access only from such non-designated street; however, that in any case such truck shall travel over the shortest possible route from the point of entry to the City (if from outside of the City) or the point of origination (if from inside the City) to the point of destination and, following delivery, over the shortest possible route to the next delivery (if inside the City), to the point of final destination (if within the City), or to the nearest available point of exit from the City, using local truck routes.

Sec. 17-84. Exceptions from Regulations.

The following are exempted from the prohibitions contained in Section 17-83:

(a) The operation of trucks licensed to carry a combined body and weight load not exceeding 30,000 pounds.

(b) The operation of emergency vehicles.

(c) The operation of trucks owned or operated by the City, public utilities, or any contractor or materials supplier, while engaged in the repair, maintenance or construction of streets, street improvements, or public utilities within the City.

(d) The operation of trucks upon any officially established detour.

Sec. 17-85. Local Truck Route Permit Required.

(a) The owner of any truck licensed to carry a combined body and load weight of at least 30,000 pounds that is used for the transportation and delivery of property in Allen County, shall file with the City Controller an application, on a form prescribed by the City Controller, for an annual permit to allow the truck to use and be driven upon the City's local truck routes, upon the condition that the maximum gross

weight of such vehicle not exceed the following weight limit:

(1) The total gross weight, with load, in pounds of any vehicle or combination of vehicles shall not exceed an overall gross weight on a group of two (2) or more consecutive axles produced by application of the following formula:

$$W = 500 \left(\frac{LN}{N - 1} + 12N + 36 \right)$$

where W equals overall gross weight on any group of two (2) or more consecutive axles to the nearest five hundred (500) pounds, L equals distance in feet between the extreme of any group of two (2) or more consecutive axles, and N equals number of axles in the group under consideration, except that two (2) consecutive sets of tandem axles may carry a gross load of thirty-four thousand (34,000) pounds each, providing the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six (36) feet or more. The overall gross weight limit, calculated under this subdivision, may not exceed eighty thousand (80,000) pounds.

(2) The total weight concentrated on the roadway surface from any tandem axle group shall not exceed seventeen thousand (17,000) pounds for each axle of the assembly.

(3) No vehicle shall have a maximum wheel weight, unladen or with load, in excess of eight hundred (800) pounds per inch per width of tire, measured between flanges of rim nor an axle weight in excess of twenty thousand (20,000) pounds.

(b) Upon the proper execution and filing of an application and the payment of a fee of Twenty-Five Dollars (\$25.00) to the City Controller, to be credited to a dedicated fund for the purpose of local truck route improvements, including appropriate screenings in residential areas, the City Controller shall issue an annual permit for each truck appropriately describing it by motor number or body number, and by license number. Such permit shall not be transferrable from one vehicle to another vehicle, and shall be attached to the vehicle so as to be readily visible by any police officer or other person charged with the duty of enforcing this Article.

(c) It shall be unlawful to regularly operate a truck upon the City's local truck routes without such a permit.

Sec. 17-86. Truck Routes Established.

(a) Through Truck Routes.

(1) There are hereby established within the City the following Through Truck Routes:

I-69 from west City limits to north City limits

U.S. 27 - Southbound

Lima Road from I-69 to Coliseum Boulevard
Northrop Street from Coliseum Boulevard to Clinton Street
Clinton Street from Northrop Street to Lafayette Street
Lafayette Street from Clinton Street to south City limits

U.S. 27 - Northbound

Lafayette Street from south City limits to Spy Run Avenue
Spy Run Avenue from Lafayette Street to Clinton Street
Clinton Street from Spy Run Avenue to Northrop Street
Northrop Street from Clinton Street to Coliseum Boulevard
Lima Road from Coliseum Boulevard to I-69

U.S. 33 - Southbound

Goshen Road from I-69 to Coliseum Boulevard
Coliseum Boulevard from Goshen Road to Northrop Street
Northrop Street from Coliseum Boulevard to Clinton Street
Clinton Street from Northrop Street to Lafayette Street
Lafayette Street from Clinton Street to south City limits

U.S. 33 - Northbound

Lafayette Street from south City limits to Spy Run Avenue
Spy Run Avenue from Lafayette Street to Clinton Avenue
Clinton Street from Spy Run Avenue to Northrop Street
Northrop Street from Clinton Street to Coliseum Boulevard
Coliseum Boulevard from Northrop Street to Goshen Road
Goshen Road from Coliseum Boulevard to I-69

U.S. 24 - U.S. 30 - S.R. 14 - Eastbound

Goshen Road from I-69 to Coliseum Boulevard
Coliseum Boulevard from Goshen Road to Washington Boulevard
Washington Boulevard from Coliseum Boulevard to east City limits

U.S. 24 - U.S. 30 - S.R. 14 - Westbound

Washington Boulevard from east City limits to Coliseum Boulevard
Coliseum Boulevard from Washington Boulevard to Goshen Road
Goshen Road from Coliseum Boulevard to I-69

S.R. 1 Southbound

I-69 from north City limits to Lima Road
Lima Road from I-69 to Coliseum Boulevard
Northrop Street from Coliseum Boulevard to Clinton Street
Clinton Street from Northrop Street to Lafayette Street
Lafayette Street from Clinton Street to Paulding Road
Paulding Road from Lafayette Street to Baer Field Thruway
Baer Field Thruway from Paulding Road to Bluffton Road
Bluffton Road from Baer Field Thruway to south City limits

S.R. 1 - Northbound

Bluffton Road from south City limits to Baer Field Thruway
Baer Field Thruway from Bluffton Road to Paulding Road
Paulding Road from Baer Field Thruway to Lafayette Street
Lafayette Street from Paulding to Spy Run Avenue

Spy Run Avenue from Lafayette Street to Clinton Street
Clinton Street from Spy Run Avenue to Northrop Street
Northrop Street from Clinton Street to Coliseum Boulevard
Lima Road from Coliseum Boulevard to I-69
I-69 from Lima Road to north City limits

S.R. 3 - Southbound

Lima Road from north City limits to I-69

S.R. 3 - Northbound

I-69 from Lima Road to north City limits

S.R. 37 - Northbound

Crescent Avenue from Coliseum Boulevard to Stellhorn Road
Stellhorn Road from Crescent Avenue to east City limits

S.R. 37 - Southbound

Stellhorn road from east City limits to Crescent Avenue
Crescent Avenue from Stellhorn Road to Coliseum Boulevard

(b) Local Truck Routes.

There are hereby established within the City the following local truck routes:

North - South Streets

South Anthony Boulevard from Washington Boulevard to Pontiac Street
South Anthony Boulevard from U.S. 27 to Paulding Road
Ardmore Avenue from Lower Huntington Road to Taylor Street
Bluffton Road from south City limits to Broadway
Broadway from Bluffton Road to Washington Boulevard
Clinton Street from Northrop Street to Coldwater Road
Coldwater Road from Clinton Street to I-69
Coliseum Boulevard from Pontiac Street to Washington Boulevard
Goshen Road from Sherman Street to Coliseum Boulevard
Leesburg Road from Main Street to Spring Street
Leesburg Road from Bass road to Hillegas Road
Sherman Street from St. Mary's River to Goshen Road
Tyler Avenue from Spring Street to West State Boulevard
VanBuren Street from Main Street to St. Mary's River

East - West Streets

Baer Field Thruway from Bluffton Road to Baer Road
Baker Street from Fairfield Avenue to Ewing Street
Creighton Avenue from Broadway to Lafayette Street
Dalman road from Baer Road to west City limits
Engle Road from Bluffton Road to west City limits
Fernhill Avenue from Wells Street to Northrop Street
Illinois Road from west City limits to Jefferson Boulevard
Jefferson Boulevard from west City limits to Maumee Avenue
Lower Huntington Road from Tillman to west City limits
Main Street from Jefferson Boulevard to Leesburg Road
Maumee Avenue from Jefferson Boulevard to Washington Boulevard
Paulding Road from Lafayette Street to east City limits
Spring Street from west City limits to Wells Street
East State Boulevard from east City limits to Clinton Street
West State Boulevard from west City limits to Sherman Boulevard
Superior Street from Sherman Street to Lafayette Street
Taylor Street from Jefferson Boulevard to Broadway

Tillman Road from Lower Huntington Road to east City limits
Washington Boulevard from east City limits to Jefferson
Boulevard

Wayne Trace from Anthony Boulevard to Hessen Cassel Road

Sec. 17-87. Truck Loads Causing Litter.

It shall be unlawful for any person to drive or move any truck within the City unless said truck is so constructed and loaded as to prevent any of its load or contents from being blown or deposited upon any street, roadway, sidewalk, alley or other public place. It shall also be unlawful for any person to drive or move any truck within the City, the wheels or tires of which carry on to or deposit in any street, roadway, sidewalk, alley or other public place any mud, dirt, sticky substances or foreign matter of any kind.

Sec. 17-88. Truck Parking Restrictions.

It shall be unlawful for the registered owner or for anyone having the care and custody of any truck with an overall length of more than 20 feet, or with an overall width of more than 7 feet, 6 inches, to park such vehicle on or in any street or alley or driveway in any residential district in the City, except temporarily while actually engaged in the loading or unloading of property on or from such vehicle. It shall also be unlawful for the registered owner or for anyone having the care and custody of any vehicle without motive power, commonly called a "trailer" to park, suffer, permit or allow such trailer to stand or be parked on any public street, place or thoroughfare of any kind in the City unless it is attached to another vehicle having motive power.

Sec. 17-89. Limitations on the Transportation of Hazardous Material.

(a) All haulers of hazardous material, including haulers with a point of destination or a point of origination inside Allen County, shall utilize through truck routes except they may use local truck routes or other streets necessary to reach a through truck route from their point of origination or to reach their destination from a through truck route.

(b) It shall be unlawful to transport hazardous material within the City from 7:00 AM - 9:00 AM and 3:30 PM - 5:30 PM except Saturdays, Sundays and holidays.

(c) Vehicles transporting hazardous materials shall obey all state and local traffic parking regulations.

(d) Vehicles transporting hazardous materials shall operate at all times with their headlights illuminated;

(e) Transporters of hazardous materials shall not permit the discharge of hazardous materials into or upon any street, highway, sanitary sewer, drainage canal or ditch or flood control channel, or upon the ground, including private property, except when such discharge is expressly permitted by the property owner and is otherwise legal;

(f) Transporters of hazardous material shall not create a hazard to the public by the location or

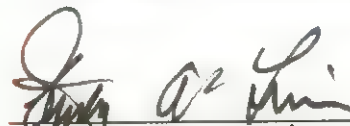
condition of their vehicles which contain hazardous materials.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor, and the legal publication thereof.

Councilmember

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney


Stanley A. Levine, Attorney
for the Common Council

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE TRUCK ORDINANCE REVISION

DEPARTMENT REQUESTING ORDINANCE LAW DEPARTMENT

SYNOPSIS OF ORDINANCE _____

1.) Provides vehicle bill to change language in present ordinance
dealing with points of origination and deviations.

EFFECT OF PASSAGE Makes Truck Ordinance more enforceable.

EFFECT OF NON-PASSAGE Current ordinance unenforceable.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

BILL NO. G-89-09-24 (as amended)

REPORT OF THE COMMITTEE ON REGULATIONS

JANET G. BRADBURY, CHAIRPERSON
DAVID C. LONG, VICE CHAIRMAN
EDMONDS, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON _____ REGULATIONS _____ TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) of the Common Council of
the City of Fort Wayne, Indiana, amending Chapter 17, Article
IX., Division 2 of the Municipal Code of the City of Fort
Wayne, Indiana entitled "Trucks"

No Rec
HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Clitus Edmas

J. G. Bradbury

Edmond Schmidt

David C. Long

Samuel J. Talarico

Edmond Schmidt

Mark R. R. R.

David C. Long

David C. Long

DATED:

8-28-90

Sandra E. Kennedy
City Clerk

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by _____ title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	5	3		
BRADBURY	✓			
BURNS	✓			
EDMONDS	✓			
GIAQUINTA				
HENRY		✓		
LONG		✓		
REDD	✓			
SCHMIDT		✓		
TALARICO	✓			

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. _____ on the _____ day of _____, 19____,

ATTEST

SEAL

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

PAUL HELMKE, MAYOR

② motion. *to annex or create as stated on p. 1 & 2 of my included in body of Ordinance*
Read the first time in full and on motion by Mike 2nd Charles,
seconded by _____, and duly adopted, read the second time by
title and referred to the Committee on _____ (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Conference Room 128, City-County Building,
Fort Wayne, Indiana, on _____, the _____, day
of _____, 19____, at _____ o'clock _____ M., E.S.T.

Passed DATED: _____
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____
seconded by _____, and duly adopted, placed on its
passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	_____	_____	_____	_____
BRADBURY	_____	_____	_____	_____
BURNS	_____	_____	_____	_____
EDMONDS	_____	_____	_____	_____
GIAQUINTA	_____	_____	_____	_____
HENRY	_____	_____	_____	_____
LONG	_____	_____	_____	_____
REDD	_____	_____	_____	_____
SCHMIDT	_____	_____	_____	_____
TALARICO	_____	_____	_____	_____

DATED: _____
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. _____
on the _____ day of _____, 19____,

ATTEST SEAL

SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19____,
at the hour of _____ o'clock _____ M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____,
19____, at the hour of _____ o'clock _____ M., E.S.T.

PAUL HELMKE, MAYOR

①

*Remove Handling R.R. - 11111111 - 11111111
from Truck Route 2nd Closure*

Read the first time in full and on motion by _____,
seconded by _____, and duly adopted, read the second time by
title and referred to the Committee on _____ (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Conference Room 128, City-County Building,
Fort Wayne, Indiana, on _____, the _____, day
of _____, 19_____, at _____ o'clock _____ M., E.S.T.

Passed

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____,
seconded by _____, and duly adopted, placed on its
passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	5	3		1
BRADBURY	✓			
BURNS	✓			
<i>Edmunds</i> GIAQUINTA	✓			
HENRY				
LONG		✓		
REDD	✓			
SCHMIDT		✓		
STIER				
TALARICO	✓			

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. _____
on the _____ day of _____, 19_____,

ATTEST

SEAL

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19_____,
at the hour of _____ o'clock _____ M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____,
19_____, at the hour of _____ o'clock _____ M., E.S.T.

PAUL HELMKE, MAYOR

1
2 BILL NO. 89-09- 24

3 GENERAL ORDINANCE NO. _____

4 AN ORDINANCE of the Common Council of
5 the City of Fort Wayne, Indiana,
6 amending Chapter 17, Article IX of the
Municipal Code of the City of Fort
Wayne, Indiana, entitled "Buses,
Trucks and other Heavy Vehicles".


7 WHEREAS, certain language in the existing truck
8 ordinance relating to deviations and points of origination has
9 caused confusion in administration and enforcement of the
10 ordinance and has met with judicial concern;

11 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
12 THE CITY OF FORT WAYNE, INDIANA:

13 SECTION 1. That Article IX. of Chapter 17 is hereby
14 repealed and replaced with a new Article IX. of Chapter 17 of
15 the Municipal Code of the City of Fort Wayne, Indiana,
16 entitled "Buses, Trucks and other Heavy Vehicles" which
17 includes the following language:

18
19 
20 Councilmember

21
22 APPROVED AS TO FORM
23 AND LEGALITY

24 
25 J. Timothy McCaulay, City Attorney
26
27
28
29
30
31
32



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

September 11, 1990

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of
September 14 & September 21, 1990, in both the News Sentinel
and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-89-09-24 (as amended)
General Ordinance No. G-21-90
Truck Ordinance

Bill No. G-90-07-38 (as amended)
General Ordinance No. G-20-90
Trapping Ordinance

Please send us 4 copies of the Publisher's Affidavit from
both newspapers.

Thank you.

Sincerely yours,


Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 2

August, 19 90, the Common Council of the City
of Fort Wayne, Indiana, in a Regular Session did pass
the following Bill No. G-89-09-24 (as amended) General
Ordinance No. G-21-90 to-wit:

BILL NO. G-89-09-24 (AS AMENDED)

GENERAL ORDINANCE NO. G-21-90

AN ORDINANCE of the Common
Council of the City of Fort
Wayne, Indiana, amending
Chapter 17, Article IX.,
Division 2 of the Municipal
Code of the City of Fort
Wayne, Indiana entitled
"Trucks."

WHEREAS, both the Corporation Counsel and the
Attorney for the Common Council have determined that the
current truck route ordinance in its present form is
unenforceable;

WHEREAS, the issue of urban goods movement has
been recently reviewed by an advisory committee of the
Northeastern Indiana Regional Coordinating Council;

WHEREAS, the Northeastern Indiana Regional
Coordinating Council Advisory Committee has completed its
study and made its report to the Common Council;

WHEREAS, said study supports a need for the
revision of the City of Fort Wayne Truck Route Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Divisions 2, 3, 4, and 5 of
Article IX. of Chapter 17 are hereby repealed and replaced
with new Divisions 2, 3, 4, and 5 Article IX. of Chapter 17
of the Municipal Code of the City of Fort Wayne, Indiana,
entitled "Trucks" which includes the following language:

DIVISION 2. TRUCKS

Sec. 17-82. Definitions.

For the purpose of this ordinance, the following terms,
phrases, words and their derivations shall have the meaning
given herein. When inconsistent with the context, words
used in the present tense include the future, words in the
plural number include the singular number, and words in the
singular number include the plural number. The word "shall"
is always mandatory and not merely directory.

(a) "City" is the City of Fort Wayne.

(b) "County" is Allen County, Indiana.

(c) "Local Truck Route" is a way over certain streets,
roads or other public ways designated to accommodate

trucks which do not exceed specified weight, length and height restrictions and which have an origin or destination, or both, within Allen County.

(d) "Point of Destination" includes a point of delivery, a fuel stop, a point of authorized rest, a terminal, a truck stop, and any authorized parking or garage facility.

(e) "Point of Origination" includes a starting point, a fuel stop, a point of authorized rest, a terminal, a truck stop, and any authorized parking or garage facility.

(f) "Through Truck Route" is a way over certain streets, roads or other public ways, which has been designated to accommodate trucks which have both origins and destinations outside of Allen County.

(g) "Truck" is a motor vehicle designed, used and maintained primarily for the transportation of property.

Sec. 17-83. Traffic on Certain Streets and Roads Restricted

(a) It shall be unlawful for the operator of any truck without a point of destination or a point of origination inside the County to drive said truck upon the streets, roads or other public ways of the City not designated as through truck routes.

(b) It shall be unlawful for the operator of any truck with a point of destination or point of origination, or both, within Allen County to drive said truck upon the streets, roads, or other public ways of the City not designated as local truck routes, except for such travel as is necessary and unavoidable in the transfer of property to and from such places or premises abutting on or having access only from such non-designated street; however, that in any case such truck shall travel over the shortest possible route from the point of entry to the City (if from outside of the City) or the point of origination (if from inside the City) to the point of destination and, following delivery, over the shortest possible route to the next delivery (if inside the City), to the point of final destination (if within the City), or to the nearest available point of exit from the City.

Sec. 17-84. Exceptions from Regulations.

The following are exempted from the prohibitions contained in Section 17-83:

(a) The operation of trucks licensed to carry a combined body and weight load not exceeding 20,000 pounds.

(b) The operation of emergency vehicles.

(c) The operation of trucks owned or operated by the City, public utilities, or any contractor or materials supplier, while engaged in the repair, maintenance or street improvements, or public

(e) Special temporary emergency use permits issued by the Controller's Office.

Sec. 17-85. Local Truck Route Permit Required.

(a) The owner of any truck licensed to carry a combined body and load weight of at least 20,000 pounds that is used principally for the transportation and delivery of property between two or more points situated in Allen County and is not involved in the interstate shipment of goods, shall file with the City Controller an application, on a form prescribed by the City Controller, for an annual permit to allow the truck to use and be driven upon the City's local truck routes, upon the condition that the maximum gross weight of such vehicle not exceed the following weight limit:

(1) The total gross weight, with load, in pounds of any vehicle or combination of vehicles shall not exceed an overall gross weight on a group of two (2) or more consecutive axles produced by application of the following formula:

$$W = 500 \left(\frac{LN}{N - 1} + 12N + 36 \right)$$

where W equals overall gross weight on any group of two (2) or more consecutive axles to the nearest five hundred (500) pounds, L equals distance in feet between the extreme of any group of two (2) or more consecutive axles, and N equals number of axles in the group under consideration, except that two (2) consecutive sets of tandem axles may carry a gross load of thirty-four thousand (34,000) pounds each, providing the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six (36) feet or more. The overall gross weight limit, calculated under this subdivision, may not exceed eighty thousand (80,000) pounds.

(2) The total weight concentrated on the roadway surface from any tandem axle group shall not exceed seventeen thousand (17,000) pounds for each axle of the assembly.

(3) No vehicle shall have a maximum wheel weight, unladen or with load, in excess of eight hundred (800) pounds per inch per width of tire, measured between flanges of rim nor an axle weight in excess of twenty thousand (20,000) pounds.

(b) Upon the proper execution and filing of an application and the payment of a fee of Two Dollars (\$2.00) to the City Controller, to be credited to the City General Fund, the City Controller shall issue an annual permit for each truck appropriately describing it by motor number

or body number, and by license number. Such permit shall not be transferrable from one vehicle to another vehicle, and shall be attached to the vehicle so as to be readily visible by any police officer or other person charged with the duty of enforcing this Article.

Sec. 17-86. Truck Routes Established.

(a) Through Truck Routes.

(1) There are hereby established within the City the following Through Truck Routes:

I-69 from west City limits to north City limits

U.S. 27 - Southbound

Lima Road from I-69 to Coliseum Boulevard
Northrop Street from Coliseum Boulevard to Clinton Street
Clinton Street from Northrop Street to Lafayette Street
Lafayette Street from Clinton Street to south City limits

U.S. 27 - Northbound

Lafayette Street from south City limits to Spy Run Avenue
Spy Run Avenue from Lafayette Street to Clinton Street
Clinton Street from Spy Run Avenue to Northrop Street
Northrop Street from Clinton Street to Coliseum Boulevard
Lima Road from Coliseum Boulevard to I-69

U.S. 33 - Southbound

Goshen Road from I-69 to Coliseum Boulevard
Coliseum Boulevard from Goshen Road to Northrop Street
Northrop Street from Coliseum Boulevard to Clinton Street
Clinton Street from Northrop Street to Lafayette Street
Lafayette Street from Clinton Street to south City limits

U.S. 33 - Northbound

Lafayette Street from south City limits to Spy Run Avenue
Spy Run Avenue from Lafayette Street to Clinton Avenue
Clinton Street from Spy Run Avenue to Northrop Street
Northrop Street from Clinton Street to Coliseum Boulevard
Coliseum Boulevard from Northrop Street to Goshen Road
Goshen Road from Coliseum Boulevard to I-69

U.S. 24 - U.S. 30 - S.R. 14 - Eastbound

Goshen Road from I-69 to Coliseum Boulevard
Coliseum Boulevard from Goshen Road to Washington Boulevard
Washington Boulevard from Coliseum Boulevard to east City limits

U.S. 24 - U.S. 30 - S.R. 14 - Westbound

Washington Boulevard from east City limits to Coliseum Boulevard
Coliseum Boulevard from Washington Boulevard to Goshen Road
Goshen Road from Coliseum Boulevard to I-69

S.R. 1 Southbound

I-69 from north City limits to Lima Road
Lima Road from I-69 to Coliseum Boulevard

Northrop Street from Coliseum Boulevard to Clinton Street
Clinton Street from Northrop Street to Lafayette Street
Lafayette Street from Clinton Street to Paulding Road
Paulding Road from Lafayette Street to Baer Field Thruway
Baer Field Thruway from Paulding Road to Bluffton Road
Bluffton Road from Baer Field Thruway to south City limits

S.R. 1 - Northbound

Bluffton Road from south City limits to Baer Field Thruway
Baer Field Thruway from Bluffton Road to Paulding Road
Paulding Road from Baer Field Thruway to Lafayette Street
Lafayette Street from Paulding to Spy Run Avenue
Spy Run Avenue from Lafayette Street to Clinton Street
Clinton Street from Spy Run Avenue to Northrop Street
Northrop Street from Clinton Street to Coliseum Boulevard
Lima Road from Coliseum Boulevard to I-69
I-69 from Lima Road to north City limits

S.R. 3 - Southbound

Lima Road from north City limits to I-69

S.R. 3 - Northbound

I-69 from Lima Road to north City limits

S.R. 37 - Northbound

Crescent Avenue from Coliseum Boulevard to Stellhorn Road
Stellhorn Road from Crescent Avenue to east City limits

S.R. 37 - Southbound

Stellhorn road from east City limits to Cresent Avenue
Crescent Avenue from Stellhorn Road to Coliseum Boulevard

17-86-(b) Criteria for Local Truck Routes:

No local street, road, or other public way should be designated a local truck route unless it meets the following criteria:

1. Minimum travel lane width of (22) feet of pavement for two (2) lanes, and forty (40) feet of pavement for four (4) lanes;
2. Pavement thickness on arterials of nine (9) inches of concrete or twelve (12) inches of asphalt;
3. Pavement thickness on collectors of seven (7) inches of concrete or nine (9) inches of asphalt;
4. Maximum grade of seven (7) percent;
5. Minimum vertical clearance of fourteen (14) feet;
6. Minimum bridge weight load of twenty (20) tons per axle; and

All local streets, roads, or other public ways designated herein as local truck routes meet said criteria.

(c) Local Truck Routes.

There are hereby established within the city the

following local truck routes:

North - South Streets

South Anthony Boulevard from Washington Boulevard to Pontiac Street
South Anthony Boulevard from U.S. 27 to Tillman Road
Ardmore Avenue from Lower Huntington Road to Taylor Street
Bluffton Road from Baer Field Thruway to Broadway
Broadway from Bluffton Road to Washington Boulevard
Clinton Street from Northrop Street to Coldwater Road
Coldwater Road from Clinton Street to City Limits
Coliseum Boulevard from Pontiac Street to Washington Boulevard
Edgewood Avenue from Clinton Street to Northrop Street
Ewing Street from Jefferson Boulevard to Superior Street
Fairfield Avenue from Jefferson Boulevard to Superior Street
Goshen Road from Sherman Street to Coliseum Boulevard
Leesburg Road from Main Street to Spring Street
Leesburg Road from Spring Street to Hillegas Road
Sherman Street from Superior Street to Goshen Road
Wayne Trace from S. Anthony Boulevard to Oxford Street

East - West Streets

Baer Field Thruway from Bluffton Road to Baer Road
Dalman road from Baer Road to west City limits
Coliseum Boulevard from Goshen Road to Hillegas Road
Engle Road from Bluffton Road to west City limits
Illinois Road from I-69 to Jefferson Boulevard
Jefferson Boulevard from west City limits to Maumee Avenue
Lower Huntington Road from Fairfield to west City limits
Main Street from Jefferson Boulevard to Leesburg Road
Maumee Avenue from Jefferson Boulevard to Washington Boulevard
Pontiac Street from Clinton Street to Coliseum Boulevard
Spring Street from west City limits to Wells Street
East State Boulevard from Maplecrest to Clinton Street
West State Boulevard from west City limits to Sherman Boulevard
Superior Street from Sherman Street to Lafayette Street
Taylor Street from Jefferson Boulevard to Broadway
Tillman Road from Fairfield to east City limits
Washington Boulevard from Coliseum Boulevard to Jefferson Boulevard

Sec. 17-87. Truck Loads Causing Litter.

It shall be unlawful for any person to drive or move any truck within the City unless said truck is so constructed and loaded as to prevent any of its load or contents from being blown or deposited upon any street, roadway, sidewalk, alley or other public place.

Sec. 17-88. Truck Parking Restrictions.

Other than in an emergency, it shall be unlawful for the registered owner or for anyone having the care and custody of any truck with an overall length of more than 20 feet, or with an overall width of more than 7 feet, 6 inches, to park such vehicle on or in any street or alley or driveway in any residential district in the City, except temporarily while actually engaged in the loading or unloading of property on or from such vehicle. Other than in an emergency, it shall also be unlawful for the registered owner or for anyone having the care and custody of any vehicle without motive power, commonly called a "trailer" to park, suffer, permit or allow such trailer to

stand or be parked on any public street, place or thoroughfare of any kind in the City unless it is attached to another vehicle having motive power, unless a special permit for such parking has been obtained from the City Controller.

DIVISION 3. BRIDGES

Sec. 17-89. Load limits on bridges.

(a) The Board of Public Works is hereby authorized, by resolution regularly adopted, to reduce the gross weight allowed on any bridge, causeway or viaduct below that prescribed by state law, whenever such board may determine that the maximum load otherwise permitted is greater than such bridge, causeway or viaduct can sustain without serious damage or with safety to itself.

(b) When signs are erected pursuant to this section in a conspicuous place at the end of the structure, indicating the gross weight allowed on any such bridge, causeway, or viaduct, no vehicle shall be moved over such bridge, causeway, or viaduct when the gross weight of such vehicle is greater than that allowed on such bridge, causeway or viaduct.

DIVISION 4. ENFORCEMENT AND PENALTIES

Sec. 17-90. Enforcement.

(a) Traffic Engineer. The Traffic Engineer shall keep and maintain accurate maps setting out truck routes. The maps shall be kept on file in the office of the traffic engineer and shall be available to the public.

(b) Weigh-in. The Chief of Police shall have the authority to require any person driving or in control of any commercial vehicle, whether or not proceeding over a truck route to proceed to any public or private scale available for the purpose of weighing said vehicle and determining compliance with this Ordinance.

Sec. 17-91. Penalties.

(a) Every person convicted of a violation of this Article shall be punished by a fine of two hundred fifty dollars (\$250.00) plus court costs.

(b) For weight violations, a fine of \$.01/lb for each overweight pound may be imposed in lieu of the fine herein provided.

DIVISION 5. REVIEW AND SEVERABILITY

Section 17-92. Review of Article IX.

Article IX shall be completely reviewed by the proper City governmental authority upon completion of each leg of the new Fort Wayne Bypass.

Section 17-93. Severability.

If any provision or term of this chapter, or any application thereof, is held invalid, the invalidity shall not affect other applications of the provision or terms of this chapter which reasonably can be given effect without the invalid provision or term for the application thereof.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor, and the legal publication thereof.

Janet G. Bradbury
Councilmember

Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Six
Bradbury, Burns, Edmonds, Henry, Redd, Talarico
NAYS: Two
Long, Schmidt
ABSTAINED: None
ABSENT: One
GiaQuinta

DATED: 8-28-90 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-21-90 on the 28th day of August, 1990.

ATTEST: SEAL

Sandra E. Kennedy . Charles B. Redd
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1990, at the hour of 4:15 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 8th day of September, 1990, at the hour of 12:45 o'clock P.M., E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of
General Ordinance No. G-21-90,
passed by the Common Council on the 28th day of
August, 1990, and that said Ordinance was
duly signed and approved by the Mayor on the 8th day of
September, 1990, and now remains on file and
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 8th day of September, 1990.

SEAL

SANDRA E. KENNEDY, CITY CLERK

Fort Wayne Common Council
(Governmental Unit)To: The Journal-Gazette Dr.
P.O. Box 100
Fort Wayne, IN

Allen County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

443 lines, 1 columns wide equals 443 equivalent lines
at .495 cents per line

\$ 219.29

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 221.29

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 2

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: September 21, 19 90

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/ she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time(s), the dates of publication being as follows:

9/14, 21/90

Subscribed and sworn to before me this 21st day of September, 19 90

Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

Width of single

Number of inse

Size of type

Pursuant to th

I hereby certifi
claimed is leg
same has been

Date: Sep

place is hereby given that on the 28th day of August, 1990, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-89-09-24 (as amended) General Ordinance No. G-21-90 to-wit:

Bill No. G-89-0924 (AS AMENDED)
GENERAL ORDINANCE NO. G-21-90
AN ORDINANCE of the Common Council of the City of Fort Wayne, Indiana, amending Chapter 17, Article IX, Division 2 of the Municipal Code of the City of Fort Wayne, Indiana entitled "Trucks."

WHEREAS, both the Corporation Counsel and the attorney for the Common Council have determined that the current truck route ordinance in its present form is unenforceable;

WHEREAS, the issue of urban goods movement has been recently reviewed by an advisory committee of the Northeastern Indiana Regional Coordinating Council;

WHEREAS, said study supports a need for the revision of the City of Fort Wayne Truck Route Ordinance; NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Division 2, 3, 4, and 5 of Article IX, Chapter 17 are hereby repealed and replaced with new Division 2, 3, 4, and 5 Article IX, Of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana, entitled "Trucks" which includes the following language:

DIVISION 2. TRUCKS
Sec. 17-82. Definitions.
For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When inconsistent with the

future, words in the plural number include the singular number, the words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- (a) "City" is the City of Fort Wayne.
- (b) "County" is Allen County, Indiana.
- (c) "Local Truck Route" is a way over certain streets, roads or other public ways designated to accommodate trucks which do not exceed specified weight, length and height restrictions and which have an origin or destination, or both, within Allen County.
- (d) "Point of Destination" includes a point of delivery, a fuel stop, a point of authorized rest, a terminal, a truck stop, and any authorized parking or garage facility.
- (e) "Point of Origination" includes a starting point, a fuel stop, a point of authorized rest, a terminal, a truck stop, and any authorized parking or garage facility.
- (f) "Through Truck Route" is a way over certain streets, roads or other public ways, which has been designated to accommodate trucks which have both origins and destinations outside of Allen County.
- (g) "Truck" is a motor vehicle designed, used and maintained primarily for the transportation of property.

Sec. 17-83. Traffic on Certain Streets and Roads Restricted

(a) It shall be unlawful for the operator of any truck without a point of destination or a point of origination inside the County to drive said truck upon the streets, roads or other public ways of the City not designated as through truck routes.

(b) It shall be unlawful for the operator of any truck with a point of destination or point of origination, or both, within Allen County to drive said truck upon the streets, roads, or other public ways of the City not designated as local truck routes, except for such travel as is necessary and unavoidable in the transfer of property to and from such places or premises abutting

street; however, that in any case such truck shall travel over the shortest possible route from the point of entry to the City (if from outside of the City) or the point of origination (if from inside the City) to the point of destination and, following delivery, over the shortest possible route to the next delivery (if inside the City), to the point of final destination (if within the City), or to the nearest available point of exit from the City.

Sec. 17-84. Exceptions from Regulations.

- The following are exempted from the prohibitions contained in Section 17-83:
- (a) The operation of trucks licensed to carry a combined body and weight load not exceeding 20,000 pounds.
- (b) The operation emergency vehicles.
- (c) The operation of trucks owned or operated by the City, public utilities, or any contractor or materials supplier, while engaged in the repair, maintenance or construction of streets, street improvements, or public utilities within the city.
- (d) The operation of trucks upon any officially established detour.
- (e) Special temporary emergency use permits issued by the Controller's office.

Sec. 17-85. Local Truck Route Permit Required.

(a) The owner of any truck licensed to carry a combined body and load weight of at least 20,000 pounds that is used principally for the transportation and delivery of property between two or more points situated in Allen County and is not involved in the interstate shipment of goods, shall file with the City Controller an application, on a form prescribed by the City Controller, for an annual permit to allow the truck to use and be driven upon the City's local truck routes, upon the condition that the maximum gross weight of such vehicle not exceed the following weight limit:

(1) The total gross weight, with load, in pound of any vehicle or combination of vehicles shall not exceed

an overall gross weight on a group of two (2) or more consecutive axles produced by application of the following formula:
 $W \leq 500 (LN + 12N + 36)$

where W equals overall gross weight on any group of two (2) or more consecutive axles to the nearest five hundred (500) pounds, L equals distance in feet between the extreme of any group of two (2) or more consecutive axles, and N equals number of axles in the group under consideration, except that two (2) consecutive sets of tandem axles may carry a gross load of thirty-four thousand (34,000) pounds each, providing the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six (36) feet or more. The overall gross weight limit, calculated under this subdivision, may not exceed eighty thousand (80,000) pounds.

(2) The total weight concentrated on the roadway surface from any tandem axle group shall not exceed seventeen thousand (17,000) pounds for each axle of the assembly.

(3) No vehicle shall have maximum wheel weight, unladen or with load, in excess of eight hundred (800) pounds per inch per width of tire, measured between flanges of rim nor an axle weight in excess of twenty thousand (20,000) pounds.

(b) Upon the proper execution and filing of an application and the payment of a fee of Two Dollars (\$2.00) to the City Controller, to be credited to the City General Fund, the City Controller shall issue an annual permit for each truck appropriately describing it by motor number or body number, and by license number. Such permit shall not be transferrable from one vehicle to another vehicle, and shall be attached to the vehicle so as to be readily visible by any police officer or other person charged with the duty of enforcing this Article.

Sec. 17-86. Truck Routes Established.

(a) Through Truck Routes.

(1) There are hereby established within the City the following Through Truck Routes:

I-69 from west City limits to north City limits
U.S. 27 - Southbound
Lima Road from I-69 to Coliseum Boulevard;
Northrop Street from Coliseum Boulevard to Clinton Street
Clinton Street from Northrop Street to Lafayette Street
Lafayette Street from Clinton Street to south City limits

U.S. 27 - Northbound
Lafayette Street from south City limits to Spy Run Avenue;
Spy Run Avenue from Lafayette Street to Clinton Avenue
Clinton Avenue from Spy Run Avenue to Northrop Street
Northrop Street from Clinton Avenue to Coliseum Boulevard
Coliseum Boulevard from Northrop Street to south City limits

U.S. 33 - Southbound
Goshen Road from I-69 to Coliseum Boulevard;
Coliseum Boulevard from Goshen Road to Northrop Street
Northrop Street from Coliseum Boulevard to Clinton Street
Clinton Street from Northrop Street to Lafayette Street
Lafayette Street from Clinton Street to south City limits

U.S. 33 - Northbound
Lafayette Street from south City limits to Spy Run Avenue;
Spy Run Avenue from Lafayette Street to Clinton Avenue
Clinton Avenue from Spy Run Avenue to Northrop Street
Northrop Street from Clinton Avenue to Coliseum Boulevard
Coliseum Boulevard from Northrop Street to south City limits

U.S. 24 - U.S. 30 - S.R. 14 - Eastbound
Goshen Road from I-69 to Coliseum Boulevard;
Coliseum Boulevard from Goshen Road to Washington Boulevard
Washington Boulevard from Coliseum Boulevard to east City limits

U.S. 24 - U.S. 30 - S.R. 14 - Westbound
Washington Boulevard from east City limits to Coliseum Boulevard
Coliseum Boulevard from Washington Boulevard to Goshen Road;
Goshen Road from Coliseum Boulevard to I-69

S.R. 1 Southbound
I-69 from north City limits to Lima Road;
Lima Road from I-69 to Coliseum Boulevard
Northrop Street from Coliseum Boulevard to Clinton Street
Clinton Street from Northrop Street to Lafayette Street;
Lafayette Street from Clinton Street to Paulding Road;
Paulding Road from Lafayette Street to Baer Field Thruway
Baer Field Thruway from Paulding Road to Bluffton Road;
Bluffton Road from Baer Field Thruway to south City limits

S.R. 1 - Northbound
Bluffton Road from south City limits to Baer Field Thruway;
Baer Field Thruway from Bluffton Road to Paulding Road;
Paulding Road from Baer Field Thruway to Lafayette Street;
Lafayette Street from Paulding Road to Spy Run Avenue;
Spy Run Avenue from Lafayette Street to Clinton Street
Clinton Street from Spy Run Avenue to Coliseum Boulevard;
Lima Road from Coliseum Boulevard to I-69
I-69 from Lima Road to north City limits

S.R. 3 - Southbound
Lima Road from north City limits to I-69
I-69 from Lima Road to north City limits
S.R. 37 - Southbound
Crescent Avenue from Coliseum Boulevard to Stellhorn Road;
Stellhorn Road from Crescent Avenue to east City limits

S.R. 37 - Northbound
Stellhorn Road from east City limits to Crescent Avenue
Crescent Avenue from Stellhorn Road to Coliseum Boulevard

17-86. (b) Criteria for Local Truck Routes.

No local street, road, or other public way should be designated a local truck route unless it meets the following criteria:

1. Minimum travel lane width of (22) feet of pavement for two (2) lanes, and forty (40) feet of pavement for four (4) lanes;
2. Pavement thickness on arterials of nine (9) inches of concrete or twelve (12) inches of asphalt;
3. Pavement thickness on collectors of seven (7) inches of concrete or nine (9) inches of asphalt;
4. Maximum grade of seven (7) percent;
5. Minimum vertical clearance of fourteen (14) feet;
6. Minimum bridge weight load of twenty (20) tons

Following local truck routes:

North - South Streets
South Anthony Boulevard from Washington Boulevard to Pontiac Street
South Anthony Boulevard from U.S. 27 to Tillman Road

Ardmore Avenue from Lower Huntington Road to Taylor Street

Bluffton Road from Baer Field Thruway to Broadway

Broadway from Bluffton Road to Washington Boulevard

Clinton Street from Northrop Street to Coldwater Road

Coldwater Road from Clinton Street to City Limits

Coliseum Boulevard from Pontiac Street to Washington Boulevard

Edgewood Avenue from Clinton Street to Northrop Street

Ewing Street from Jefferson Boulevard to Superior Street

Fairfield Avenue from Jefferson Boulevard to Superior Street

Goshen Road from Sherman Street to Coliseum Boulevard

Leesburg Road from Main Street to Spring Street

Leesburg Road from Spring Street to Hillegas Road

Sherman Street from Superior Street to Goshen Road

Wayne Trace from S. Anthony Boulevard to Oxford Street

East - West Streets
Baer Field Thruway from Bluffton Road to Baer Road

Dalman Road from Baer Road to west City limits

Coliseum Boulevard from Goshen Road to Hillegas Road

Engle Road from Bluffton Road to west City limits

Illinois Road from I-69 to Jefferson Boulevard

Jefferson Boulevard from west City limits to Maumee Avenue

Lower Huntington Road from Fairfield to west City limits

Main Street from Jefferson Boulevard to Leesburg Road

Maumee Avenue from Jefferson Boulevard to Washington Boulevard

Pontiac Street from Clinton Street to Coliseum Boulevard

Spring Street from west City limits to Wells Street

East State Boulevard from Maplecrest to Clinton Street

West State Boulevard from west City limits to Sherman Boulevard

Superior Street from Sherman Street to Lafayette Street

Taylor Street from Jefferson Boulevard to Broadway

Tillman Road from Fairfield to east City limits

Washington Boulevard from Coliseum Boulevard to Jefferson Boulevard

Sec. 17-87. Truck Loads Causing Litter.

It shall be unlawful for any person to drive or move any truck within the City unless said truck is so constructed and loaded as to prevent any of its load or contents from being blown or deposited upon any street, roadway, sidewalk, alley or other public place.

Sec. 17-88. Truck Parking Restrictions.

Other than in an emergency, it shall be unlawful for the registered owner or for anyone having the care and custody of any truck with an overall length of more than 20 feet, or with an overall width of more than 7 feet, 6 inches, to park such vehicle on or in any street or alley or driveway in any residential district in the city, except temporarily while actually engaged in the loaded or unloading of property on or from such vehicle. Other than in an emergency, it shall also be unlawful for the registered owner or for anyone having the care and custody of any vehicle without motive, power, commonly called a "trailer" to park, suffer, permit or allow such trailer to stand or be parked on any public street, place or thoroughfare of any kind in the City unless it is attached to another vehicle having motive power, unless a special permit for such parking has been obtained from the City Controller.

DIVISION 3. BRIDGES

Sec. 17-89. Load limits on bridges.

(a) The Board of Public Works is hereby authorized, by resolution regularly adopted, to reduce the gross weight allowed on any bridge, causeway or viaduct below that prescribed by state law, whenever such board may determine that the maximum load otherwise permitted is greater than such bridge, causeway or viaduct can sustain without serious damage or with safety to itself.

(b) When signs are erected pursuant to this section in a conspicuous place at the end of the structure, indicating the gross weight allowed on any such bridge, causeway, or viaduct, no vehicle shall be moved over such bridge, causeway, or viaduct when the gross weight of such vehicle is greater than that allowed on such bridge, causeway or viaduct.

DIVISION 4. ENFORCEMENT AND PENALTIES

Sec. 17-90. Enforcement.

(a) Traffic Engineer. The Traffic Engineer shall keep and maintain accurate maps setting out truck routes. The maps shall be kept on file in the office of the traffic engineer and shall be available to the public.

(b) Weigh-in. The Chief of Police shall have the authority to require any person driving or in control of any commercial vehicle, whether or not proceeding over a truck route to proceed to any any public or private scale available for the purpose of weighing said vehicle and determining compliance with this Ordinance.

Sec. 17-91. Penalties

(a) Every person convicted of a violation of this Article shall be punished by a fine of two hundred fifty dollars (\$250.00) plus court costs.

(b) For weight violations, a fine of \$.01/lb for each overweight pound may be imposed in lieu of the fine herein provided.

DIVISION 5. REVIEW AND SEVERABILITY

Section 17-92. Review of Article IX.

Article IX shall be completely reviewed by the proper City governmental authority upon completion of each leg of the new Fort Wayne Bypass.

Section 17-93. Severability.

If any provision or term of this chapter, or any

SECTION 3. That this Ordinance and effect from and after its passage necessary approval by the Mayor publication thereof.

Read the third time in full and ordered seconded by Talarico, and duly passage. PASSED by the following

AYES: Six
Bradbury, Burns, Edmonds, I
NAYS: Two
Long, Schmidt
ABSTAINED: None
ABSENT: One
Giacinta
DATED: 8-28-90

Passed and adopted by the City of Fort Wayne, Indiana, as amended G-21-90 on the 28th day of August, 1990.

ATTEST:
Sandra E. Kennedy
City Clerk

Presented by me to the Mayor of Fort Wayne, Indiana, on the 29th day of the hour of 4:15 o'clock P.M.,

Approved and signed by the Mayor of Fort Wayne, Indiana, on the 29th day of September, 1990, at the hour of 5:15 P.M.,

I, the Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a complete copy of General Ordinance G-21-90 as passed by the Common Council of the City of Fort Wayne, Indiana, on August, 1990, and that said Ordinance was signed and approved by the Mayor of Fort Wayne, Indiana, on the 29th day of September, 1990, and now in my office.

WITNESS my hand, and the seal of the City of Fort Wayne, Indiana, this 29th day of September, 1990.

Sandra E. Kennedy, City Clerk

9--14-21

Form Prescribed by State Board of Accounts
Fort Wayne Common Council
(Governmental Unit)
Allen
County, Indiana

General Form No. 99P (Revised 1987)
To: The News-Sentinel
P.O. Box 100
Fort Wayne, IN
Dr.

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

443 lines, 1 columns wide equals 443 equivalent lines
at .495 cents per line \$ 219.29

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) 2.00

TOTAL AMOUNT OF CLAIM \$ 221.29

DATA FOR COMPUTING COST

Width of single column 12.5 ems
Number of insertions 2
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Nicole Allred

September 21, 19 90

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time(s), the dates of publication being as follows:

9/14, 21/90

Nicole Allred

Subscribed and sworn to before me this 21st day of September, 19 90

Shelley R. Larue

Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

Bill No. G-89-0924 (AS AMENDED) General Ordinance No. G-21-90 to-wit:

GENERAL ORDINANCE NO. G-21-90

AN ORDINANCE of the Common Council of the City of Fort Wayne, Indiana, amending Chapter 17, Article IX, Division 2 of the Municipal Code of the City of Fort Wayne, Indiana entitled "Trucks."

WHEREAS, both the Corporation Counsel and the Attorney for the Common Council have determined at the current truck route ordinance in its present form is unenforceable;

WHEREAS, the issue of urban goods movement has been recently reviewed by an advisory committee of the Northeastern Indiana Regional Coordinating Council;

WHEREAS, the Northeastern Indiana Regional Coordinating Council Advisory Committee has completed its study and made its report to the Common Council;

WHEREAS, said study supports a need for the revision of the City of Fort Wayne Truck Route Ordinance. NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Division 2, 3, 4, and 5 of Article IX, Chapter 17 are hereby repealed and replaced with new Division 2, 3, 4, and 5 Article IX. Of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana, entitled "Trucks" which includes the following language:

DIVISION 2. TRUCKS

Sec. 17-82. Definitions.

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, the words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(a) "City" is the City of Fort Wayne.

(b) "County" is Allen County, Indiana.

(c) "Local Truck Route" is a way over certain streets, roads or other public ways designated to accommodate trucks which do not exceed specified weight, length and height restrictions and which have a specific origin or destination, or both, within Allen County.

(d) "Point of Destination" includes a point delivery, a rest stop, a point of authorized rest, a terminal, a truck stop, and any authorized parking or garage facility.

(e) "Point of Origination" includes a starting point, a rest stop, a point of authorized rest, a terminal, a truck stop, and any authorized parking or garage facility.

(f) "Through Truck Route" is a way over certain streets, roads or other public ways, which has been designated to accommodate trucks which have both origins and destinations outside of Allen County.

(g) "Truck" is a motor vehicle designed, used and maintained primarily for the transportation of property.

Sec. 17-83. Traffic on Certain Streets and Roads Restricted

(a) It shall be unlawful for the operator of any truck without a point of destination or a point of origination outside the County to drive said truck upon the streets, roads or other public ways of the City not designated as through truck routes.

(b) It shall be unlawful for the operator of any truck without a point of destination or point of origination, or both, within Allen County to drive said truck upon the streets, roads, or other public ways of the City not designated as local truck routes, except for such travel as is necessary and unavoidable in the transfer of property to and from such places or premises abutting or having access only from such non-designated street; however, that in any case such truck shall travel over the shortest possible route from the point of entry to the City (if from outside of the City) or the point of origination (if from inside the City) to the point of

destination or point of origination. Any truck carrying a gross load of thirty-four thousand (34,000) pounds each, providing the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six (36) feet or more. The overall gross weight limit, calculated under this subdivision, may not exceed eighty thousand (80,000) pounds.

(2) The total weight concentrated on the roadway surface from any tandem axle group shall not exceed seventeen thousand (17,000) pounds for each axle of the assembly.

(3) No vehicle shall have maximum wheel weight, unladen or with load, in excess of eight hundred (800) pounds per inch per width of tire, measured between flanges of rim nor an axle weight in excess of twenty thousand (20,000) pounds.

(b) Upon the proper execution and filing of an application and the payment of a fee of Two Dollars (\$2.00) to the City Controller, to be credited to the City General Fund, the City Controller shall issue an annual permit for each truck appropriately describing it by motor number or body number, and by license number. Such permit shall not be transferable from one vehicle to another vehicle, and shall be attached to the vehicle so as to be readily visible by any police officer or other person charged with the duty of enforcing this Article.

Sec. 17-86. Truck Routes Established.

(a) Through Truck Routes.

(1) There are hereby established within the City the following Through Truck Routes:

I-69 from west City limits to north City limits

U.S. 27 - Southbound

Lima Road from I-69 to Coliseum Boulevard; Northrop Street from Coliseum Boulevard to Clinton Street; Clinton Street from Northrop Street to Lafayette Street; Lafayette Street from Clinton Street to south City limits

U.S. 27 - Northbound

Lafayette Street from south City limits to Spy Run Avenue; Spy Run Avenue from Lafayette Street to Clinton Street; Clinton Street from Spy Run Avenue to Northrop Street; Northrop Street from Clinton Street to Coliseum Boulevard; Lima Road from Coliseum Boulevard to I-69.

U.S. 33 - Southbound

Goshen Road from I-69 to Coliseum Boulevard; Coliseum Boulevard from Goshen Road to Northrop Street; Northrop Street from Coliseum Boulevard to Clinton Street; Clinton Street from Northrop Street to Lafayette Street; Lafayette Street from Clinton Street to south City limits.

U.S. - Northbound

Lafayette Street from south City limits to Spy Run Avenue; Spy Run Avenue from Lafayette Street to Clinton Avenue; Clinton Street from Spy Run Avenue to Northrop Street; Northrop Street from Clinton Street to Coliseum Boulevard; Coliseum Boulevard from Northrop Street to Goshen Road; Goshen Road from Coliseum Boulevard to I-69.

U.S. 24 - U.S. 30 - S.R. 14 - Eastbound

Goshen Road from I-69 to Coliseum Boulevard; Coliseum Boulevard from Goshen Road to Washington Boulevard; Washington Boulevard from Coliseum Boulevard to east City limits.

U.S. 24 - U.S. 30 - S.R. 14 - Westbound

Washington Boulevard from east City limits to Coliseum Boulevard

Coliseum Boulevard from Washington Boulevard to Goshen Road; Goshen Road from Coliseum Boulevard to I-69

S.R. 1 Southbound

I-69 from north City limits to Lima Road; Lima Road from I-69 to Coliseum Boulevard; Northrop Street from Coliseum Boulevard to Clinton Street; Clinton Street from Northrop Street to Lafayette Street; Lafayette Street from Clinton Street to Paulding Road; Paulding Road from Lafayette Street to Baer Field Thruway; Baer Field Thruway from Paulding Road to Bluffton Road; Bluffton Road from Baer Field Thruway to south City limits

S.R. 1 - Northbound

Bluffton Road from south City limits to Baer Field Thruway; Baer Field Thruway from Bluffton Road to Paulding Road; Paulding Road from Baer Field

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SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor, and the legal publication thereof.

Janet G. Bradbury
Councilmember

Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Six

Bradbury, Burns, Edmonds, Henry, Redd, Talarico

NAYS: Two

Long, Schmidt

ABSTAINED: None

ABSENT: One

GiaQuinta

DATED: 8-28-90

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-21-90 on the 28th day of August, 1990.

ATTEST:

Sandra E. Kennedy

City Clerk

SEAL

Charles B. Redd
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1990, at the hour of 4:15 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 8th day of September, 1990, at the hour of 12:45 o'clock P.M., E.S.T.

Paul Helmke
Mayor

I, the Clerk of the City of Fort Wayne, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-21-90 passed by the Common Council on the 28th day of August, 1990, and that said Ordinance was duly signed and approved by the Mayor on the 8th day of September, 1990, and now remains on file on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 8th day of September, 1990.

Sandra E. Kennedy, City Clerk
9-14-21

PUBLISH

State of Indiana)

) ss:

Allen County)

Personally appeared before

undersigned Nicole J

she is Clerk

circulation printed and
Fort Wayne, IN in

attached hereto is a true
two time(s), then

9/14, 21/90

Subscribed and sworn to

My commission expires: